

# EXHIBIT

## 20

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

No. 2:14-cv-01770-JLL-JAD

BANK OF HOPE, as successor to )  
Wilshire Bank, )  
Plaintiff, )

vs. )

MIYE CHON, a/k/a Karen Chon; )  
SUK JOON RYU, a/k/a James S. )  
Ryu; TAE JONG KIM; BERGENFIELD )  
BAGEL & CAFÉ INC., d/b/a Café )  
Clair; MAYWOOD BAGEL INC.; )  
UB'S PIZZA & BAGEL INC.; UB'S )  
BAGEL & CAFÉ INC.; and UBK )  
BAGELS CORP., d/b/a Franklin )  
Bagels & Café, )

Defendants. )

----- )  
SUK JOON RYU, a/k/a James S. )  
Ryu, )

Counterclaim-Plaintiff, )

vs. )

BANK OF HOPE, as successor to )  
Wilshire Bank, )

Counterclaim-Defendant. )

----- )  
SUK JOON RYU, a/k/a James S. )  
Ryu, )

Third-Party Plaintiff, )

vs. )

KWON HO JUNG, JAE WHAN YOO, )  
STEVEN S. KOH, and LISA PAI, )

Third-Party Defendants. )

----- )  
SUK JOON RYU, a/k/a James S. )  
Ryu, )

Cross-Claim Plaintiff, )

vs. )

MIYE CHON, a/k/a Karen Chon; )  
TAE JONG KIM; BERGENFIELD )  
BAGEL & CAFÉ INC., d/b/a Café )  
Clair; MAYWOOD BAGEL )

INC.; UB'S PIZZA & BAGEL INC.; )  
UB'S BAGEL & CAFÉ INC.; and )

UBK BAGELS CORP., d/b/a )  
Franklin Bagels & Café, )

Cross-Claim Defendants. ) June 14, 2018

Deposition of:  
SUK JOON RYU

Reported by:  
Lisa M. Muraco  
Job# 143521

Deposition of SUK JOON RYU, held at the offices of LEE ANAV CHUNG WHITE KIM RUGER & RICHTER, LLP, 99 Madison Avenue, New York, New York, before Lisa M. Muraco, a Notary Public of the State of New York.

Reported by:  
Lisa M. Muraco  
JOB NO. 143521

# A P P E A R A N C E S:

Lee Anav Chung White Kim Ruger & Richter  
Attorneys for Plaintiff-Counterclaim  
Defendant, Bank of Hope, as successor to  
Wilshire Bank  
99 Madison Avenue  
New York, NY 10016  
BY: MICHAEL YI, ESQ.

STEVE HARVEY LAW  
Attorneys for Defendant-Counterclaim  
Plaintiff, Third-Party Counterclaim  
Plaintiff, Cross-Claim Plaintiff  
Suk Joon Ryu, a/k/a James S. Ryu  
1880 John F. Kennedy Boulevard  
Philadelphia, Pennsylvania 19013  
BY: DAVID DZARA, ESQ.

Also Present:  
Kate Romick

IT IS HEREBY STIPULATED AND AGREED  
by and between the attorneys for the  
respective parties herein, that filing and  
sealing be and the same are hereby waived.

IT IS FURTHER STIPULATED AND AGREED  
that all objections, except as to the form  
of the question, shall be reserved to the  
time of the trial.

IT IS FURTHER STIPULATED AND AGREED  
that the within deposition may be sworn to  
and signed before any officer authorized  
to administer an oath, with the same  
force and effect as if signed and sworn to  
before the Court.

- oOo -

S. Ryu  
S U K J O O N R Y U, called as a witness,  
having been duly sworn by a Notary Public,  
was examined and testified as follows:

# EXAMINATION BY

MR. YI:

Q. State your name for the record,  
please.

A. Yeah. James. Legal name, S-U-K  
J-O-O-N. Last name R-Y-U.

Q. Good morning, Mr. Ryu. You just  
stated your full legal name, I believe, Suk  
Joon Ryu. For the record, you also mentioned  
you go by James Ryu.

Have you used any other names?

A. No.

Q. Do you have -- do you use a middle  
initial when you use the name James Ryu?

A. S.

Q. Have you consumed anything either  
today or last night, such as alcoholic  
beverages or any medications that would affect  
your ability to testify at this deposition  
today?

A. No.

Page 6

1 S. Ryu  
2 Q. You understand that you are  
3 testifying under oath and that you must answer  
4 each question truthfully?  
5 A. Yes.  
6 Q. Is there anything that would prevent  
7 you from testifying truthfully today?  
8 A. No.  
9 Q. What is your home address?  
10 A. 630 Rita, R-I-T-A, Drive River Vale,  
11 New Jersey 07675.  
12 Q. Are you married?  
13 A. Yes.  
14 Q. What is your wife's name?  
15 A. Her name is Duhe, D-U-H-E.  
16 Q. And her last name is --  
17 A. R-Y-U.  
18 Q. -- the same.  
19 Do you have any children?  
20 A. Yes.  
21 Q. How old are they?  
22 A. One is 19. One just turned 15.  
23 Q. What is the name of the 19-year-old?  
24 A. Jamie (phonetic).  
25 Q. Son or daughter?

Page 8

1 S. Ryu  
2 Q. -- a particular lender?  
3 A. Yeah.  
4 Q. Who was that?  
5 A. It's called Mr. Cooper.  
6 Q. It's a mortgage company?  
7 A. Yeah.  
8 Q. So that's the company that made a  
9 mortgage loan to you and your wife?  
10 A. I believe that's a company which is  
11 handling the processes for lenders, but I'm not  
12 sure who -- what happened to the loan. It was  
13 originally Bank of America loan, but it got  
14 changed and sold and stuff like that. And loan  
15 is only underlining.  
16 MR. DZARA: Mr. Cooper might be the  
17 servicer.  
18 THE WITNESS: Yeah, probably.  
19 MR. DZARA: I think we produced the  
20 complaint in our most recent production and  
21 the most recent initiation claim, so that's  
22 -- whoever is the plaintiff that's in there  
23 is likely the one who initiated the  
24 lawsuit.  
25 BY MR. YI:

Page 7

1 S. Ryu  
2 A. A daughter.  
3 Q. Same last name?  
4 A. Sure.  
5 Q. And the 15-year-old?  
6 A. James.  
7 Q. Have you ever been deposed prior to  
8 today?  
9 A. No.  
10 Q. Have you ever testified at any legal  
11 proceedings prior to today?  
12 A. No.  
13 Q. Other than this litigation, are you  
14 involved in any other litigation -- well, I  
15 should say other than this action and the  
16 related action pending in Federal Court in New  
17 York, are you involved in any other litigation?  
18 MR. DZARA: Current or past?  
19 BY MR. YI:  
20 Q. Currently.  
21 A. Currently, the mortgage company has  
22 initiated a complaint for foreclosing.  
23 Q. When you say "mortgage company," are  
24 you referring to --  
25 A. My own.

Page 9

1 S. Ryu  
2 Q. So is it fair to say that you're  
3 indicating to us that there's currently a  
4 mortgage -- a residential mortgage foreclosure  
5 action that was commenced by the plaintiff in a  
6 mortgage foreclosure action against you?  
7 A. Yes.  
8 Q. Do you recall when that action  
9 commenced?  
10 A. May -- mid May of this year.  
11 Q. And do you know what the status of  
12 that action is?  
13 A. We -- well, my attorney for that  
14 particular matter is preparing answer to the  
15 complaint.  
16 Q. And is that Mr. Dzara?  
17 A. No.  
18 Q. Another attorney?  
19 A. Another one.  
20 Q. Are you currently involved in any  
21 other litigation?  
22 A. No.  
23 Q. Have you been involved in any other  
24 litigation in the past?  
25 A. No -- well, two years ago, 2016,

Page 10

1 S. Ryu  
2 foreclosure action.  
3 Q. And that was also a residential  
4 mortgage foreclosure action --  
5 A. Yes.  
6 Q. -- that was commenced against you?  
7 A. Right.  
8 Q. Was it only you, or you and your  
9 wife?  
10 A. The loan is under my name, so...  
11 MR. DZARA: I think it was initially  
12 against his wife, but she got dismissed  
13 because the loan was only under his name.  
14 She might have been named initially, but it  
15 got -- whatever happened that got --  
16 MR. YI: Okay.  
17 MR. DZARA: -- resolved.  
18 BY MR. YI:  
19 Q. Just to be clear, the mortgage  
20 foreclosure action, the more recent one that  
21 was commenced in -- sometime in May of this  
22 year, that action concerns the mortgage on your  
23 current home, 630 Rita Drive, correct?  
24 A. Yes.  
25 Q. And the residential mortgage

Page 11

1 S. Ryu  
2 foreclosure action from 2016, approximately two  
3 years ago, that also concerned a mortgage on  
4 your current home, 630 Rita Drive, correct?  
5 A. Yes.  
6 Q. And is it fair to say that that  
7 prior mortgage foreclosure action was resolved  
8 by way of a loan modification agreement?  
9 A. Yes.  
10 MR. DZARA: I thought it was 2015.  
11 MR. YI: 2015?  
12 MR. DZARA: Yes.  
13 BY MR. YI:  
14 Q. So your counsel is indicating that  
15 that was in 2015. Does that sound right?  
16 A. Yeah, sounds about right.  
17 Q. Did you meet with your attorneys in  
18 preparation for this deposition?  
19 A. It was about a month ago I met with  
20 David and Steve.  
21 Q. Was it one day?  
22 A. It was actually only a couple of  
23 hours.  
24 Q. Was anybody else present?  
25 A. No.

Page 12

1 S. Ryu  
2 Q. Did you review any documents?  
3 A. I reviewed my attorney's list of  
4 possible --  
5 MR. DZARA: Wait.  
6 THE WITNESS: Oh, okay.  
7 MR. DZARA: Any documents. Not  
8 documents created by us.  
9 THE WITNESS: Okay.  
10 A. I don't think so.  
11 Q. You didn't review any documents  
12 during the meeting?  
13 A. No.  
14 Q. Did you communicate with anyone else  
15 -- not your attorneys, did you communicate with  
16 anybody else concerning this deposition prior  
17 to today?  
18 A. My wife and my kids.  
19 Q. Anybody else?  
20 A. No.  
21 Q. Is your daughter in college?  
22 A. Yes.  
23 Q. Where does she go to college?  
24 A. NYU.  
25 Q. And your son James, is he in high

Page 13

1 S. Ryu  
2 school?  
3 A. Yes.  
4 Q. What year is he?  
5 A. He's a sophomore.  
6 Q. Where does he go to high school?  
7 A. Pascack Valley.  
8 Q. Is that a public or private?  
9 A. Public.  
10 Q. Other than your wife and your two  
11 children, did you communicate with anybody else  
12 concerning this deposition?  
13 A. No.  
14 Q. You worked at BankAsiana from in or  
15 about April 2006 until October 2013, correct?  
16 A. Yes.  
17 Q. Where were you employed prior to  
18 BankAsiana?  
19 A. Center Bank.  
20 Q. In Los Angeles?  
21 A. In Los Angeles.  
22 Q. From when to when?  
23 A. 1998 until 2006.  
24 Q. Was there any gap between the time  
25 you worked at Center Bank and BankAsiana?

1 S. Ryu  
2 A. No.  
3 Q. Did you ever work as a financial  
4 consultant --  
5 A. Financial --  
6 Q. -- prior to -- immediately prior to  
7 working at BankAsiana?  
8 A. No.  
9 Q. Okay.  
10 MR. YI: I will have this marked as  
11 Plaintiff's Ryu Deposition 1, Exhibit 1.  
12 (Plaintiff's Exhibit 1, Notice,  
13 marked for identification.)  
14 MR. DZARA: Off the record.  
15 (Discussion held off the record.)  
16 BY MR. YI:  
17 Q. Sir, I'm asking you to take a look  
18 at what's been marked as Plaintiff's Ryu  
19 Deposition Exhibit 1. And I represent to you  
20 that it is a copy of a Notice of Deposition of  
21 your deposition. It was dated some time ago.  
22 But just for the record, this deposition is  
23 being taken pursuant to that notice.  
24 A. Okay.  
25 Q. Thank you.

1 S. Ryu  
2 employee who was in charge of HR at BankAsiana  
3 at that time?  
4 A. There was Bo Young Lee, was handling  
5 employee papers and things like that. And I  
6 believe I oversaw that activity.  
7 Q. Okay. Who was in charge of HR at  
8 BankAsiana in August of 2007?  
9 A. August of 2007 -- let me see. In  
10 August of 2007, BankAsiana was not open for  
11 business yet. So while we had maybe a dozen or  
12 so employees working to open up the business,  
13 there wasn't exactly designation as to what  
14 department and whatnot. But along with the  
15 CEO, I oversaw the HR activities.  
16 So, you know, that would be my  
17 answer. Who it was in charge, I guess, it's  
18 always the CEO and designated COO of the  
19 company.  
20 Q. So it -- is it your testimony that  
21 the president and CEO of BankAsiana, Mr. Hur,  
22 made the decision to hire Karen Chon?  
23 A. Yes.  
24 Q. And that you then -- you believe you  
25 met with her at some point after that decision

1 S. Ryu  
2 MR. YI: This will be Exhibit 2.  
3 (Plaintiff's Exhibit 2, e-mail,  
4 marked for identification.)  
5 BY MR. YI:  
6 Q. So I'd like to direct your attention  
7 to in or about August 2007. Did there come a  
8 time around that time period when you met with  
9 Karen Chon, whose legal name is Miye Chon?  
10 A. Yeah. Yes.  
11 Q. And could you just briefly tell us  
12 the circumstances in which you met with her in  
13 or about August 2007.  
14 A. At that time the CEO, Mr. Hur, made  
15 a decision to hire Ms. Chon, and I believe this  
16 particular letter of -- offer of employment was  
17 e-mailed to her. And since I do the process of  
18 sending out letters such as this (indicating),  
19 I sent the letter out. And I don't recall  
20 exactly, but I must met her briefly as an  
21 introduction at the time.  
22 Q. In August of 2007, did BankAsiana  
23 have an HR department?  
24 A. No.  
25 Q. Was there a particular officer or

1 S. Ryu  
2 was made?  
3 A. Yes.  
4 Q. And is it your testimony then  
5 sometime after that decision was made by  
6 Mr. Hur, that you sent her this offer of  
7 employment letter by e-mail?  
8 A. Yes.  
9 Q. And what was the position for which  
10 she was hired in August of 2007?  
11 A. I believe she was hired for customer  
12 service representative. Otherwise, also can be  
13 called as a teller.  
14 Q. Before you met her in or about  
15 August 2007 and sent her this offer of  
16 employment letter, did you know her?  
17 A. No.  
18 Q. When you met with her in  
19 August 2007, was that the first time you met  
20 her?  
21 A. Yes.  
22 Q. And before you met her, had you  
23 heard anything about her?  
24 A. No.  
25 Q. Specifically, had you heard anything

Page 18

1 S. Ryu  
2 about her prior employment at Liberty Bank of  
3 New York?

4 A. Nope.

5 Q. Had you heard anything about her  
6 prior employment at Wilshire Bank, which I  
7 represent to you at some point acquired Liberty  
8 Bank of New York?

9 A. I must have seen her resume. And if  
10 that is a mean of my knowing the fact that she  
11 was at Wilshire Bank, I suppose that would be  
12 the case. But other than just processing this  
13 person with a resume, I didn't know anything  
14 about her at all.

15 Q. Did you -- do you recall whether she  
16 submitted a list of references?

17 A. I don't recall. I'm sorry.

18 Q. Do you recall making any calls to  
19 anybody at Liberty Bank of New York or Wilshire  
20 Bank to find out a little bit about her  
21 before --

22 A. No.

23 Q. -- you sent this offer of employment

24 --

25 A. No, no.

Page 19

1 S. Ryu

2 MR. DZARA: One thing. Let him  
3 finish the question before you answer.  
4 It's tough for witnesses to do that.

5 THE WITNESS: Okay.

6 A. Oh. I was saying, all of the hiring  
7 decision was made by the CEO 100 percent. And  
8 any reference check that may have been done was  
9 done by Mr. Hur. I personally, myself, I don't  
10 think I've ever done any type of reference  
11 check by myself. I may have indicated to my  
12 subordinates to make some inquiries. But other  
13 than that, personally, for me, I did not  
14 perform any references.

15 Q. So is it your testimony that during  
16 your entire tenure at BankAsiana, it was  
17 Mr. Hur, the president and CEO of the bank, who  
18 made all of the hiring decisions?

19 A. Yes.

20 Q. And is it your testimony that you --  
21 well, I don't want to put words in your mouth,  
22 but I'm just asking: Is it your testimony that  
23 you didn't have any role in hiring of employees  
24 or officers of the bank?

25 A. Oh, I have roles.

Page 20

1 S. Ryu

2 Q. Okay.

3 A. But he made the decisions.

4 Q. He made the ultimate decisions?

5 A. Yes.

6 Q. And did you interview people,  
7 candidates for positions at the bank, and then  
8 did you make a recommendation to Mr. Hur?

9 A. Yes.

10 Q. Okay. So for purposes of today's  
11 deposition, I'm going to use the word  
12 "embezzlement." And when I say "embezzlement,"  
13 I'm really -- it's a defined term that we have  
14 been using throughout this litigation. The  
15 attorneys have used it, I've used it, and it's  
16 in our amended complaint.

17 Is it fair to -- you understand when  
18 I say "embezzlement," you understand what I'm  
19 talking about?

20 MR. DZARA: Before he answers, let  
21 me object. You define embezzlement  
22 differently than we define embezzlement.

23 MR. YI: Okay.

24 MR. DZARA: You define embezzlement  
25 as two people participating, and we define

Page 21

1 S. Ryu

2 embezzlement as one person participating.

3 So if the understanding is the  
4 embezzlement was the taking of the money  
5 from Wilshire Bank, I'm fine with that.

6 MR. YI: Okay.

7 MR. DZARA: Without attributing it.  
8 If you're going to attribute it, we have  
9 different opinions on who it was attributed  
10 to. But for that purposes, I'm fine. I'm  
11 not going to agree to your definition of  
12 embezzlement in the amended complaint, nor  
13 would you probably agree to ours in our  
14 answers to you amended complaint.

15 MR. YI: Okay.

16 MR. DZARA: So with that  
17 understanding, I'm fine with it.

18 MR. YI: Okay.

19 BY MR. YI:

20 Q. Okay. You accept your counsel's  
21 statements concerning our use of the word  
22 "embezzlement"?

23 A. Yes.

24 Q. Thank you.

25 When did you first learn that Karen



1 S. Ryu  
2 Chon had implicated you in the embezzlement?  
3 A. It was January 30th of 2014.  
4 Q. How did you find out?  
5 A. Karen called me to have a meeting in  
6 person.  
7 Q. When did she call you?  
8 A. The same day.  
9 Q. And what did she say when she called  
10 you, in substance?  
11 A. She has done a terrible thing. And  
12 that she stole money from BankAsiana. And then  
13 she lied and implicated me being part of the  
14 theft.  
15 Q. Do you recall anything else?  
16 A. Sure. I recall a lot of different  
17 things, but...  
18 Q. Tell us whatever else you remember.  
19 MR. DZARA: About what, the call or  
20 the meeting?  
21 BY MR. YI:  
22 Q. The call.  
23 A. The call?  
24 Q. Yeah?  
25 A. Oh, if you're just talking about the

1 S. Ryu  
2 call, she did not say on the call what I just  
3 said about, you know, she has taken the money  
4 from that. That was during the meeting.  
5 Q. Okay. So let's go back to the call.  
6 A. All right. The call.  
7 Q. What do you remember her telling you  
8 during the call?  
9 A. On the phone, yeah. She called and  
10 she wanted to meet me in person as soon as  
11 possible. I replied and said, "Couldn't we  
12 have this conversation on the phone? Why would  
13 I need to meet you?"  
14 And she said it was very important  
15 that we -- you know, "If you could meet me,  
16 it'll be great." You know.  
17 So since I was heading to Englewood,  
18 and I told her -- and I needed to fix my car,  
19 so I told her that it was going to take some  
20 time to fix the car, so might as well -- then  
21 if you show up to -- there was a diner right  
22 next to, you know, auto repair shop, if you  
23 could come to that place, you know, perhaps we  
24 can meet. And she said, "Yes."  
25 And that was it as far as the phone

1 S. Ryu  
2 call is concerned.  
3 Q. Do you remember anything else she  
4 said to you?  
5 A. I don't think she said anything  
6 else.  
7 Q. Okay. And is it fair to say she  
8 didn't tell you during that call why she wanted  
9 to meet with you, other than telling you that  
10 it was important, something important?  
11 A. Right. No.  
12 Q. So this is January 30, 2014. By  
13 this time, both of you were no longer with  
14 BankAsiana, and you were no longer with  
15 Wilshire Bank.  
16 Is it fair to say after the merger  
17 between Wilshire Bancorp and BankAsiana, that  
18 you -- were you an employee of Wilshire Bank  
19 briefly?  
20 A. Yes.  
21 Q. Okay. And do you recall whether  
22 Karen Chon was also a briefly an employee of  
23 Wilshire Bank before she was let go?  
24 A. I think so.  
25 Q. But by January 30, 2014, both of you

1 S. Ryu  
2 have left Wilshire Bank following the merger.  
3 MR. DZARA: Is that a question?  
4 BY MR. YI:  
5 Q. Is that correct?  
6 A. Yes. We were both terminated.  
7 Q. And between the time you and she  
8 left Wilshire Bank, and January 30th, had you  
9 had any communications with her?  
10 A. I did right the day before on the  
11 29th. It was because my debit card Wilshire  
12 Bank, BankAsiana, started not work. Maybe  
13 sometime, you know, around somewhere in 22nd,  
14 23rd, 24th, somewhere there and then. And I  
15 really -- who was at the bank, I made a call to  
16 check out what's wrong with my debit card. And  
17 she told me that she'll get right back to me.  
18 But I couldn't reach her for a few  
19 days, and I thought it was strange. And I knew  
20 that Irene was pretty good friends with Karen,  
21 and from my previous conversation with Irene  
22 Lee, that I knew she was hired by another bank  
23 as a branch manager or something like that.  
24 And while my -- driving back from  
25 New Millennium Bank, which is located in New



1 S. Ryu  
2 Brunswick, to, you know, Bergen County, so --  
3 and I couldn't use my card or use my money. So  
4 I made a call on that 29th, particular call to  
5 Irene Lee a few times. And also made a call to  
6 branch manager downstairs.

7 And she could not see, you know,  
8 what the hell was going on, what's going on --  
9 excuse me. So at that meeting, I did reach out  
10 to Karen and see, you know, what's happening  
11 with Karen -- I mean, not Karen, Irene. And  
12 knowing that she was hired as branch manager, I  
13 wanted to congratulate her, you know.

14 So that was the very first time when  
15 I reach out to Karen just because I needed to  
16 find out what's going on.

17 And she told me on 29th and said,  
18 "Oh, Irene is available. You want me to give  
19 her a call?"

20 So I said, "That's okay." It was  
21 very brief call. I said, "Oh, congratulations.  
22 You became a branch manager."

23 Q. Which bank -- I'm sorry. Which bank  
24 was Karen Chon branch manager?

25 A. I believe it was Ohana Bank.

1 S. Ryu  
2 And she said, "Oh, no, I quit."

3 I said, "Oh, that's too bad." And  
4 ask her, "Is Irene okay?"

5 She said, "Yeah, sure. You want me  
6 to reach her?"

7 I said, "No, it's okay." And that  
8 was it. It was a very short conversation.

9 And I believe that led to her  
10 calling me on the 30th.

11 Q. What do you mean that phone call on  
12 the 29th, that you made to her, led her to call  
13 you the following day?

14 What do you mean by that?

15 A. Well, what I mean by that, is that I  
16 would think that it was easier for her to give  
17 me a call. And ultimately, I'll say this, that  
18 she told me to truth, that she lied and stole  
19 the money and all of that stuff the next day.

20 I think my call prompted her to  
21 think straight and tell the truth. And that's  
22 what I mean.

23 Q. So let's go back to -- after the  
24 call, did you meet with her at the diner?

25 A. Yes.

1 S. Ryu

2 Q. And was there anybody other than the  
3 two of you?

4 A. No. Well, there were a lot of  
5 customers.

6 Q. Yeah, okay. But it was just the two  
7 of you?

8 A. Mh-hm.

9 MR. DZARA: You have to say "yes" or  
10 "no."

11 A. Yes.

12 Q. And could you tell us what she said  
13 to you when you met with her at the diner on  
14 January 30, 2014.

15 A. She said she done a really terrible  
16 thing, and she stole money from BankAsiana.  
17 And that she told Wilshire Bank that I was  
18 involved with taking the money at BankAsiana.  
19 In essence, that's what she said.

20 And she said, "I'm very sorry." And  
21 she said, "I don't know why I did that."

22 That's what she told me. And of  
23 course, I told her in reply many different  
24 things.

25 Q. All right. Could you tell us what

1 S. Ryu

2 you told her in response -- actually, before  
3 you get to that --

4 A. Sure.

5 Q. -- do you remember anything else she  
6 said to you at the diner?

7 Did she tell you, for instance, how  
8 much she stole from BankAsiana?

9 A. Yes, she did.

10 Q. What did she tell you?

11 A. She said it was over \$1 million.  
12 And she told me that she can't believe it's  
13 over \$1 million, but Wilshire Bank or  
14 BankAsiana employees, Wilshire Bank had told  
15 her that it was over \$1 million.

16 Q. And when you say that she told  
17 Wilshire Bank that she had stolen money from  
18 BankAsiana, did she tell you to whom?

19 A. She mentioned Irene Lee and Bo Young  
20 Lee.

21 Q. Do you remember her mentioning  
22 Alicia Lee?

23 A. I don't think so.

24 Q. Do you remember anything else she  
25 told you?

1 S. Ryu  
2 A. Oh, yeah, she told me she will go  
3 back to Wilshire Bank and tell the truth, that  
4 I was not involved in what -- this theft in  
5 whatsoever manner. And that's how the meeting  
6 ended.  
7 Q. Okay. Let's go back. I think I  
8 sort of --  
9 MR. DZARA: I think this was a  
10 conversation. So she said this, you said  
11 that.  
12 MR. YI: Right.  
13 BY MR. YI:  
14 Q. Have we covered, as far as what she  
15 told you at that meeting on January 30th, have  
16 we covered what you remember?  
17 A. Yeah, pretty much.  
18 Q. Okay. Can you tell us what you told  
19 her at that meeting?  
20 A. Oh, when she told me that she'd done  
21 a terrible thing, I said, "What?" And -- well,  
22 I'll just stick to the question.  
23 And when she said she stole money  
24 from BankAsiana, I was dumbfounded.  
25 And I asked, "How much?"

1 S. Ryu  
2 And I said, "You got to be kidding  
3 me."  
4 Q. By the way --  
5 A. So --  
6 Q. -- this entire conversation, by the  
7 way, is in Korean, correct?  
8 A. Yes.  
9 Q. Go ahead.  
10 A. And I told her, "Why did you do  
11 that?" You know, "What was the reason?"  
12 She wouldn't say for a while. After  
13 I asked her a few times, she said, "I don't  
14 know."  
15 And I asked her continually, "Why  
16 did you do that?" You know.  
17 And she cried and cried and said, "I  
18 don't know. I don't know why."  
19 So I told her, "Go back to Wilshire  
20 Bank right away and clear this matter up, that  
21 you have lied and I'm not involved in any  
22 taking of the money from the bank."  
23 And she said she will do that.  
24 "Yes, I will do that right away."  
25 I said, "Go now and do it."

1 S. Ryu  
2 And she told me that it was over \$1  
3 million. She can't believe it's that much, but  
4 Wilshire has told her it was over \$1 million.  
5 So I -- so, "You met with Wilshire  
6 people?"  
7 And she sort of indicated, you know,  
8 Irene had met with them.  
9 Q. Did she describe to you or did she  
10 tell you how she stole the money?  
11 A. No, not at all.  
12 Q. Did you ask her?  
13 A. No. And then -- well, actually  
14 there was another thing she said.  
15 "I've done a terrible thing to you,"  
16 meaning, me.  
17 And I said, "What?"  
18 And she just kind of hung there and  
19 cried for a while.  
20 So I'm thinking, "Well, what is the  
21 terrible thing? She already did the terrible  
22 by stealing the money."  
23 And then she told me that, "I have  
24 you" -- "I told Wilshire Bank that you were  
25 implicated in the theft."

1 S. Ryu  
2 And that was about how the meeting  
3 ended. In retrospect, a couple of things:  
4 First, I should have taken her to the police.  
5 I should have called the police right there and  
6 then, you know.  
7 Second, I should have had her and go  
8 to Wilshire Bank alongside me, you know, with  
9 her, to whoever it may be in charge at the time  
10 of this inquiry or investigation or, you know,  
11 whatnot, and dealt with it right there and  
12 then.  
13 Instead, she said she would go right  
14 away and tell the truth and clear this matter,  
15 the whole thing up. It was rather naive of me  
16 that I believed that she would do that.  
17 But apparently, you know, now, we  
18 know -- now, I know, of course, not only now,  
19 but for the past four and half years, I know  
20 that's not the case.  
21 Q. Do you remember anything else you  
22 told her at that meeting, you said to her?  
23 A. Huh?  
24 Q. Anything else that you remember  
25 saying -- telling her?

1 S. Ryu  
2 A. That's about the entire  
3 conversation, right there and then.  
4 Q. So going back to her call, when she  
5 called you to arrange this meeting with you on  
6 January 30, 2014, did she call you on your  
7 cellphone?  
8 A. Yes.  
9 Q. And is that cellphone number  
10 213-700-2828?  
11 A. Yes.  
12 Q. And is that cellphone account under  
13 your wife's name?  
14 A. I think it's under my name. It  
15 could have been.  
16 Q. And so, is it fair to say that Karen  
17 Chon, on January 30, 2014, she had your  
18 cellphone number?  
19 A. Yes.  
20 Q. Did you have her cellphone number?  
21 A. Yeah. Yes, I had numbers of many  
22 different employees.  
23 Q. Okay. Do you remember Karen Chon at  
24 that meeting on January 30th, asking you for  
25 help in raising money to pay back Wilshire

1 S. Ryu  
2 Bank?  
3 A. Now that you mentioned it, not  
4 helping her to raise the money, but she said  
5 she'll pay back Wilshire Bank. She did say  
6 that, right.  
7 Q. Did she tell you how much she had to  
8 pay back Wilshire Bank, or how much she  
9 intended to pay back?  
10 A. I am not sure.  
11 Q. Do you recall her asking you for  
12 your help in raising money to pay back the  
13 bank?  
14 A. Not at that time.  
15 Q. Did she tell you -- do you remember  
16 her telling you that she was going to be  
17 interviewed by the FBI?  
18 A. She didn't say anything about that  
19 at all.  
20 Q. Do you remember anything about -- do  
21 you remember anything she said about the FBI at  
22 that meeting?  
23 A. No.  
24 Q. After January 30, 2014, did there  
25 come a time when you found out that Karen Chon

1 S. Ryu  
2 was going to be interviewed by the FBI?  
3 A. Could you repeat the question.  
4 (Question was read back as follows:  
5 "QUESTION: After January 30, 2014,  
6 did there come a time when you found out  
7 that Karen Chon was going to be  
8 interviewed by the FBI?")  
9 A. Well, I knew, by my knowledge, if  
10 you thieve a bank, you will face federal  
11 government and FBI. So, my mind, I knew that  
12 she will undertake the process. As to actually  
13 when she met with FBI, I did not know that for  
14 years, until when I think through my counsel  
15 that I saw the interview memorandums and  
16 investigative reports or whatnot from FBI  
17 itself.  
18 Q. After your meeting on January 30,  
19 2014, did Karen Chon ever tell you that she had  
20 been interviewed by the FBI?  
21 A. No.  
22 Q. Were you interviewed by the FBI at  
23 any time concerning the embezzlement?  
24 A. Well, at our request, at my  
25 counsel's, I guess, request to FBI, I and Steve

1 S. Ryu  
2 Harvey met with FBI and district attorneys.  
3 Q. Okay. And when you first said  
4 counsel, you were referring to Steve Harvey?  
5 A. Yes.  
6 Q. And do you remember when that was?  
7 A. I believe that was perhaps June or  
8 July of 2015.  
9 Q. Do you remember who you and Steve  
10 Harvey met with?  
11 A. I don't recall their names.  
12 Q. Do you remember how many FBI agents?  
13 A. I think there's just one. One  
14 agent.  
15 Q. Was his last name Decahua  
16 (phonetic)?  
17 A. I'm unsure.  
18 Q. You mentioned, I believe, the U.S.  
19 Attorney's Office or prosecutors?  
20 A. Yes.  
21 Q. Are you referring to Assistant U.S.  
22 Attorneys, federal prosecutors?  
23 A. I think so.  
24 Q. And do you remember how many?  
25 A. Could have been two.

Page 38

S. Ryu

Q. Do you remember their names?

A. I don't.

Q. And where was the meeting?

A. In Newark.

Q. And was it at the U.S. Attorney's Office?

A. I'm not sure whether it was U.S. Attorney's Office, but it was some sort of federal building.

Q. Do you remember how long the meeting was?

A. Approximately an hour.

Q. And I believe you stated that the meeting was at your and Steve Harvey's request to them?

A. Yes.

Q. And have you seen any reports generated by either the FBI or the U.S. Attorney's Office concerning that meeting?

A. No.

Q. Are you aware of the existence of such a report?

A. No.

MR. YI: Go off the record.

Page 39

S. Ryu

(Discussion held off the record.)

BY MR. YI:

Q. Other than Mr. Harvey, was there another attorney representing you at that meeting?

A. Yes, David.

Q. And can you tell us what you told the FBI agents and the Assistant U.S. Attorneys?

A. Well, they asked some questions about my background and things like that. And, you know, what I -- they asked questions as to what I knew about the embezzlement related to Karen Chon.

And I told them pretty much what I've stated this morning as to her calls and, you know, meeting with her the day of 30 January 2014, and beyond, because I had another meeting with Karen Chon February 13th of 2014, you know, prior to my meeting with you and Lisa Pai on that same day.

So details of that particular meeting on February 13th, I told them what she said and whatnot. And beyond that, there

Page 40

S. Ryu

wasn't anything else to tell.

Q. And was that the only time you met with FBI agents and attorneys from the U.S. Attorney's Office?

A. Yes.

Q. And that was sometime in June or July of 2015?

A. Yes.

Q. Okay. Let's go back to your February 13, 2014, meeting with Karen Chon. Could you tell us how that meeting came about?

A. Well, I was scheduled to meet with Lisa Pai and the outside counsel on February 13th of 2014. And I believe that was about 3 o'clock in the afternoon, the meeting with Lisa Pai and the outside counsel.

And around noon or so, Karen Chon called me and said, "Can we meet?"

So by February of -- February 13th, yeah, after a couple of weeks have gone by, you know, my thinking was that right after the meeting on the 30th with Karen, she would go back and tell the truth, which I suppose was --

Page 41

S. Ryu

did not happen. And by then I was -- I was communicating with the corporate counsel for New Millennium Bank, Bob Schwartz, and he had told me --

MR. DZARA: No --

THE WITNESS: Okay.

MR. DZARA: Don't tell him anything you and Bob talked about.

A. All right. But I understood that I shouldn't call her or do anything with whatever. But I was very glad that Karen called me, because at this time, you know, "Okay. I'm going to bring a tape recorder and record the conversation." You know.

Because between the 30th and the 13th, it seemed like a lot of different things had happened. First, clearly my money was frozen, which was completely illegal.

Second, I began to hear a lot from the people who were involved in New Millennium Bank project, including the CEO, Mr. Hur, indicating to me that there's a rumor that some sort of action is being taken against me personally by Wilshire Bank.

S. Ryu

And obviously, because of the frozen -- freezing of the money, which is completely illegal, I understood that something was happening there. And that's why I think maybe 10th or 11th of February -- could have been 9th -- I called Lisa Pai up to ask her, "What's up?" You know, "What's going on?" You know.

And not going into detail as to what I was speaking with, with Lisa Pai, she want to meet with me on 13th, as she said she will be in New York. So I agreed to meet with her.

And on that very same day, Karen called me and she wanted to meet. So, oh, I thought it was great. "Now, I can bring a tape recorder and record the conversation, and that'll be the end of that," I figured.

So that's how the whole sort of process in my mind, thought process, and what happened with her phone call.

Q. Okay. So on February 13, 2014, you said around noon she had called you, and she called you on your cellphone?

A. Yes.

Q. Okay. And then what did she say?

S. Ryu

A. She wanted to meet with me.

Q. Did she say why?

A. Well, she said it was important that I, you know, meet. And I don't recall, you know, what else she said. But she wanted to meet, and I was -- I was glad that she wanted to meet.

Q. Okay. And where did you meet with her?

A. A diner in Englewood -- oh, no, it wasn't at a diner. It was -- what do you call it? Some lunch and drink place. I forget the name of it, but it was in Englewood Cliff.

Q. It was not the same diner at which you met with her January 30th?

A. No.

Q. It was a different place?

A. Yes.

Q. You don't remember the name?

A. No.

Q. Was it a restaurant?

A. Yeah. We call it a restaurant, yes.

MR. DZARA: Was it a lounge?

THE WITNESS: Yeah, we call it a

S. Ryu

lounge.

MR. DZARA: Whatever a lounge is.  
BY MR. YI:

Q. And for how long did you meet with her approximately?

A. Well, you know, she actually -- I had told her there's a place, you know -- you know, between here and there, and she mistook my instruction as to where exactly, so she went to the wrong place. So I don't know whether she called me or whatnot, and she was half an hour late.

For the meeting, I believe that was arranged for 1 o'clock, so we ended up meeting at, like, 1:30 or something, if I recall correctly.

Q. Okay. And what did she tell you at that meeting? What did she say to you?

A. Well, I don't -- you know, maybe it would be easier if we take this as what I told her and what she told me is that -- can that be done? Because that's easier that way. Because obviously, I'm very upset at that point, "Why is this still going on?" You know, so -- I

S. Ryu

mean, is that okay, or do you want me to stick to what she told me?

Q. Well, I'm asking you for your recollection of what you remember her saying to you at that second meeting.

MR. DZARA: I think he is asking, can you recite the conversation.

THE WITNESS: Yes. Is that all right?

MR. YI: Why don't we take a quick break and then we'll come back and do that.

(Recess is taken.)

BY MR. YI:

Q. Can you tell us what Karen Chon said to you when you met with her on February 13, 2014.

A. Can we -- can I tell the --

Q. Tell us --

A. -- conversation?

Q. -- the substance of the conversation you had with her, yes.

A. Well, I told her, "Have you gone back and told the truth?"

And she said, "Not yet."



1 S. Ryu  
2 I said, "Why not, not yet?"  
3 And she said she will clear things  
4 up, and I'm not involved with taking money from  
5 BankAsiana and whatnot.  
6 And at this point, you know, want  
7 her to tell whoever it is that she's telling  
8 the lies, to tell the truth. That was my main  
9 focus.  
10 And she was telling me that if she  
11 could borrow some money from me to pay back  
12 Wilshire Bank.  
13 So I said, "How much?"  
14 And I believe she was talking about  
15 -- called in -- and some she wanted to pay back  
16 to Wilshire Bank some \$800,000 or something.  
17 I told her I certainly do not have  
18 anywhere the money that you're talking about  
19 whatsoever. And essentially, I said, "Are you  
20 kidding? No." You know.  
21 And she then said, "Can Mr. Hur help  
22 her pay back to the money to Wilshire Bank?"  
23 And I said, "I would not think so."  
24 And she kept on saying about how she  
25 is planning to pay back Wilshire Bank in lump

1 S. Ryu  
2 sum of, you know, like I said, some 800,000 or  
3 whatnot, and she said she was going to work  
4 through the rest of it or something like that.  
5 And my objective during that meeting  
6 first was to record the conversation so that I  
7 have some tangible proof that she's lying, that  
8 I'm not involved with embezzlement. And the  
9 second motive was for her -- I mean, my intent,  
10 you know, my aim was to get her to go tell the  
11 truth so that my name is cleared up over this  
12 crime.  
13 So, you know, while she was rambling  
14 on about how she was going to get the money to  
15 pay the -- the bank back and whatnot and, you  
16 know, my point was for her, to listen to her  
17 and tell her to go tell the truth. In fact, I  
18 think I even said, you know, "You must go back  
19 and tell the truth, then maybe I could even  
20 help you so that, you know -- you know, talk  
21 with Wilshire Bank so that they are not so  
22 harsh to you about, you know, your -- your  
23 crime."  
24 You know, "Maybe there may be  
25 something that I can do to, you know, perhaps

1 S. Ryu  
2 calm Wilshire Bank down so that you are able to  
3 pay them back, you know, whatnot."  
4 But she just kept on, you know,  
5 rambling on how she was going to pay back.  
6 "Can I borrow money from you?"  
7 "Of course not." I don't have the  
8 money."  
9 In fact, since the recording was  
10 done, and I think there is not -- I think there  
11 is a transcript of that recording. So, you  
12 know, I think you already have it. So the  
13 conversation of that day, I think, is available  
14 for your review.  
15 But since she was late to the  
16 meeting, and I had a meeting with Lisa Pai and  
17 you at 3:00 or so, it wasn't really a lengthy  
18 meeting. Maybe probably less than an hour.  
19 And that's a sense of what she was telling me  
20 on that day.  
21 And again, she said she'll tell the  
22 truth. She will, you know, clear my name and  
23 so on and so forth.  
24 Q. Okay. So I want to make sure I get  
25 this straight. So the second meeting on

1 S. Ryu  
2 February -- I'm sorry, February 13, 2014, by  
3 the way, was that lounge or cafe, was that  
4 called Central Kitchen?  
5 A. Oh, I think so.  
6 Q. Okay. And during your conversation  
7 with her at that meeting, she asked you for  
8 help to raise money to pay back the bank?  
9 MR. DZARA: Objection. She didn't  
10 say -- he didn't say that. Keep going.  
11 BY MR. YI:  
12 Q. But in any event, she asked for help  
13 in her efforts to pay back to the bank; is that  
14 correct?  
15 A. Yes.  
16 Q. And is it your testimony that you  
17 said essentially, no?  
18 A. Clearly, no. Because the amount in  
19 which I think she wanted to borrow from me was,  
20 you know, outrageous. Did not have it.  
21 Q. Did you tell her or did you indicate  
22 in any way at that meeting that you would think  
23 about it?  
24 A. I may have said that I would think  
25 about it, just because I want her to go back



1 S. Ryu  
2 and tell the truth, so that is -- you know, I  
3 didn't want to be very harsh to her in that  
4 way. But, you know, in essence I said, "It's  
5 not possible."

6 And it was not possible because,  
7 obviously, I didn't have the money.

8 Q. Okay. So when she asked you for  
9 help in paying back the bank, is your best  
10 recollection that you said, no? You declined?

11 A. Sure.

12 Q. Okay. Your cellphone number,  
13 213-700-2828, was that your cellphone number  
14 during the period of 2010 Through 2014?

15 A. Yes.

16 Q. And is that still your cellphone  
17 number?

18 A. Yes. I think I had that number from  
19 2001.

20 Q. 2001?

21 A. Yeah.

22 Q. To the present?

23 A. Yes.

24 MR. YI: Mark this as Exhibit 3.  
25 (Plaintiff's Exhibit 3, documents

1 S. Ryu  
2 received from Verizon Wireless, marked for  
3 identification.)

4 BY MR. YI:

5 Q. I'm showing you what's been marked  
6 as Exhibit 3 to your deposition, and ask you if  
7 you recognize it.

8 By the way, I'll represent to you  
9 that these are documents that we received from  
10 Verizon Wireless pursuant to a subpoena duces  
11 tecum that we issued to that company.

12 A. Yes.

13 Q. Okay. Are these copies of monthly  
14 sort of statements that you received from  
15 Verizon Wireless during the time periods that  
16 are indicated in these documents?

17 MR. DZARA: Objection to form.

18 A. I see my wife's name, so...

19 Q. And you see your cellphone number --

20 A. Sure.

21 Q. -- 213-700-2828?

22 A. Sure.

23 Q. Thank you.

24 When did you move to New Jersey from  
25 California?

1 S. Ryu  
2 A. In 2006.

3 Q. Do you remember when exactly around?

4 A. I think end of March.

5 Q. Why did you move -- why did you and  
6 your wife move from California to New Jersey?

7 A. To establish a bank.

8 Q. BankAsiana?

9 A. Yes.

10 Q. With Mr. Hur?

11 A. Yes.

12 Q. Any other reason?

13 A. No.

14 Q. In November 2009, did you take a  
15 loan against your 401k savings?

16 A. I believe so, yes.

17 Q. Have you produced copies of  
18 documents relating to that 401k?

19 A. I don't think so. Because I have  
20 not.

21 Q. And that 401k was with BankAsiana,  
22 right?

23 A. Yes.

24 Q. Do you remember which company or  
25 firm was administering that 401k plan?

1 S. Ryu

2 A. No, I don't.

3 Q. Do you remember how much the loan  
4 was?

5 A. I think it was 30,000. Somewhere  
6 around there.

7 Q. When you moved from California to  
8 New Jersey in 2006, just prior to your move,  
9 were you employed by Center Bank?

10 A. Yes.

11 Q. So is it fair to say you left Center  
12 Bank, moved to New Jersey, and then started  
13 with Mr. Hur to start BankAsiana?

14 A. Yes. There was absolutely no gap in  
15 between.

16 Q. Why did you take a loan against your  
17 401k of approximately 30,000 in 2009?

18 A. Well, first, because I could, and  
19 second, at that time in 2008, '09, due to, you  
20 know, financial crisis in -- in this country  
21 and globally, things were pretty tough, and I  
22 had a property out in Los Angeles. I did not  
23 sell the property when I left Los Angeles to  
24 New Jersey. And the renters were there, making  
25 good payments until, I think, maybe end of 2008

1 S. Ryu  
 2 or something, then they started defaulting.  
 3 You know, so I had to pay, like,  
 4 double the mortgage on those. You know,  
 5 burdensome financially. So...  
 6 Q. When you say "property," are you  
 7 referring to --  
 8 A. House.  
 9 Q. -- a residential, like, a  
 10 single-family house?  
 11 A. Yes.  
 12 Q. In Los Angeles?  
 13 A. Yes.  
 14 Q. Any other reason?  
 15 A. No.  
 16 Q. So no particular reason that you can  
 17 think of?  
 18 A. Well, like I said, I mean, because  
 19 of the renters were not paying rent. And, you  
 20 know, if you think about a salary person who's  
 21 already paying one person and double that, and  
 22 that's -- just was making some things difficult  
 23 for us at the time.  
 24 Q. When you -- when you took out the  
 25 loan against your 401k savings in your account,

1 S. Ryu  
 2 were you receiving a salary from BankAsiana?  
 3 A. Yes.  
 4 Q. And in 2009, do you recall  
 5 approximately what your annual salary was?  
 6 A. Probably 130, 140,000.  
 7 MR. YI: Mark this as 4.  
 8 (Plaintiff's Exhibit 4, federal  
 9 income tax return for tax year 2009, marked  
 10 for identification.)  
 11 MR. DZARA: Off the record.  
 12 (Discussion held off the record.)  
 13 BY MR. YI:  
 14 Q. So I'm showing you what's been  
 15 marked as Exhibit 4 to your deposition.  
 16 Is that a copy of your federal tax  
 17 -- federal income tax return for tax year of  
 18 2009?  
 19 A. Yes.  
 20 Q. And it's a joint return by you and  
 21 your wife?  
 22 A. Yes.  
 23 Q. And if you look at line 7, wages,  
 24 salaries, tips, et cetera, there's an amount of  
 25 121,305. Do you see that?

1 S. Ryu  
 2 A. Yes.  
 3 Q. Is it fair to say that that reflects  
 4 your W-2 income from BankAsiana?  
 5 A. Yes.  
 6 Q. And if you look at line 12, there's  
 7 business income or loss, and there's a loss of  
 8 \$16,785. Do you see that?  
 9 A. Yes.  
 10 Q. And do you know -- can you tell us  
 11 what that relates to?  
 12 A. Offhand, I do not know.  
 13 Q. Was your wife working in the tax  
 14 year 2009?  
 15 A. No.  
 16 Q. Did you have -- other than your  
 17 employment with BankAsiana, were you operating  
 18 a business?  
 19 A. I was about to start a business, but  
 20 I'm not sure whether I operated during 2009 or  
 21 not.  
 22 Q. Okay. May I ask you to turn to --  
 23 there's a Form 4562, Depreciation and  
 24 Amortization. It's several pages into  
 25 Exhibit 4.

1 S. Ryu  
 2 Do you see the second line below  
 3 your name and your wife's name, there's a line  
 4 that says "business or activity to which this  
 5 form relates," and it says "restaurant and  
 6 cafe"?  
 7 Do you see that?  
 8 A. Yes.  
 9 Q. Were you operating a restaurant and  
 10 cafe in 2009?  
 11 A. 2009, I may have been. You know, it  
 12 started in 2009, the construction and some of  
 13 the stuff, so yeah, 2009, 2010, that's when I  
 14 was operating the restaurant and cafe. But I  
 15 never had the ownership at the end. So I would  
 16 think that would be referring to that, yes.  
 17 Q. Okay. Let me see if I can clarify.  
 18 As I look at your joint income tax  
 19 return for 2009, I'm seeing that on this page  
 20 Form 4562, you indicated that you had a  
 21 business or activity, restaurant and cafe, and  
 22 it appears that you were taking certain  
 23 depreciation.  
 24 Are you indicating that you didn't  
 25 actually own the restaurant and cafe business?

1 S. Ryu  
2 A. I never owned it. I operated it,  
3 but I never owned it.  
4 Q. And do you remember the name of the  
5 restaurant and cafe?  
6 A. Well, it was originally called Kudo  
7 Cafe, I believe, and then later I wanted to  
8 make it to Seleste, but we never put out any --  
9 it was a failure, so...  
10 And as to the specifics of this,  
11 when I do my tax, I use a CPA and I tell him,  
12 you know, the activities that were being  
13 undertaken. He prepares it. So as to the  
14 details of this, in a very truthful, honest  
15 way, I don't really know the details.  
16 Q. Is it your understanding that you  
17 and your wife did take a depreciation for a  
18 business described here as restaurant and cafe,  
19 even though you and she did not have any  
20 ownership interest?  
21 MR. DZARA: Objection to form. He's  
22 not a CPA.  
23 BY MR. YI:  
24 Q. I'm asking for your understanding.  
25 A. I do not know. I don't think...

1 S. Ryu  
2 Q. And as far as you know, that is  
3 indicating a business loss from the restaurant  
4 and cafe business?  
5 A. I am not sure, but if you're  
6 assuming that -- but I am not sure.  
7 Q. Okay. Did you have any other -- did  
8 you own or operate --  
9 A. No.  
10 Q. -- any other businesses?  
11 A. No.  
12 Q. Okay. Line 17 is indicating rental  
13 real estate, royalties, partnerships, et  
14 cetera, and it's indicating a loss of -- net  
15 loss of \$22,740.  
16 That relates to your rental property  
17 in Los Angeles, correct?  
18 A. I would believe, so but again, I'm  
19 not sure.  
20 Q. Okay. So your adjusted gross income  
21 for 2009 was \$81,780, correct?  
22 A. It shows that.  
23 Q. Are you familiar with a company  
24 named Seleste LLC?  
25 A. Yeah. That was the company that was

1 S. Ryu  
2 Q. Okay. Let's turn to Form 8582,  
3 which is a couple of pages after that, which is  
4 Passive Activity Loss Limitations.  
5 Do you see that?  
6 A. Mh-hm.  
7 Q. And correct me if I'm wrong, but I  
8 see a loss of \$3,730, from what appears to be  
9 from a rental property.  
10 Is that the single-family house in  
11 Los Angeles and the renters you had?  
12 A. It could be.  
13 Q. And is it fair to say that for tax  
14 year 2009, that you reported a loss of \$33,730  
15 from that rental property?  
16 A. It could be, but I'm not sure.  
17 Q. Okay. So going back to the first  
18 page of Form 1040, your joint income tax return  
19 for 2009, again, line 7 is indicating your W-2  
20 income from BankAsiana of \$121,305, correct?  
21 A. Yes.  
22 Q. And line 12 is indicating a business  
23 income or loss, and in this case there was a  
24 loss of indicated of \$16,785, correct?  
25 A. Yes.

1 S. Ryu  
2 related to the cafe. And in order to get the  
3 bank account and pay employee salary related to  
4 cafe. Yes, I'm aware of that.  
5 Q. Is that a limited liability company  
6 that you formed in January 2010?  
7 A. I believe so.  
8 Q. Did you form that company with  
9 another person?  
10 A. I think it was just me.  
11 (Plaintiff's Exhibit 5, Certificate  
12 of Formation of Seleste LLC, marked for  
13 identification.)  
14 BY MR. YI:  
15 Q. I'm showing you what's been marked  
16 Exhibit 5 to your deposition.  
17 Do you recognize that document?  
18 A. I don't know whether I've seen this  
19 before, but now I have it, I do recognize it.  
20 MR. YI: Give a moment, please.  
21 (Recess is taken.)  
22 BY MR. YI:  
23 Q. Is this a copy of the Certificate of  
24 Formation of Seleste LLC, which appears to have  
25 been filed with the New Jersey State Treasurer

1 S. Ryu  
2 on January 7, 2010?  
3 A. Yes.  
4 Q. And according to this document, the  
5 names and addresses of the members are -- and  
6 then it has your name and your current home  
7 address --  
8 A. Sorry.  
9 Q. -- and it has Christine Eunhee Park.  
10 A. Yes.  
11 Q. Do you see that?  
12 A. Yeah.  
13 Q. And 39 Grove Street, Tenafly, New  
14 Jersey, was that Ms. Park or Pak's address at  
15 that time?  
16 A. Yes.  
17 Q. By the way, the spelling of her last  
18 name, should that be P-A-K?  
19 A. Yeah, I think so.  
20 Q. That's a typo?  
21 A. I guess, yeah. Clearly.  
22 Q. And was this prepared by an attorney  
23 by the name of Robert Yu?  
24 A. I think so, yes.  
25 Q. Was Robert Yu your attorney at that

1 S. Ryu  
2 time?  
3 A. Yeah, Robert is a friend of mine,  
4 and he looked after a few things.  
5 Q. So he was your personal attorney?  
6 A. I don't know whether you call it a  
7 personal attorney, but he helped out on things  
8 such as, I believe, this.  
9 Q. And was he also the attorney for  
10 this company, Seleste LLC?  
11 A. This company didn't really need an  
12 attorney. There was one occasion that he  
13 helped out other than this. But if you want to  
14 call it, is this the attorney for the company,  
15 I guess you could.  
16 Q. So is it fair to say that the two  
17 members of this LLC were yourself and Ms. Pak?  
18 A. Yes.  
19 Q. What was your relationship with  
20 Ms. Pak at the time?  
21 A. She joined BankAsiana, and she  
22 became a very good friend of mine.  
23 Q. When did she -- when did she start  
24 at BankAsiana?  
25 A. July of 2009.

1 S. Ryu  
2 Q. And did you interview her before she  
3 was hired?  
4 A. Yes.  
5 Q. And did you recommend to Mr. Hur  
6 that she be hired?  
7 A. Actually, she had interview with  
8 Mr. Hur as well.  
9 Q. Okay. But did you recommend to  
10 Mr. Hur that she be hired?  
11 A. I don't know whether I recommended.  
12 He said, "Go ahead and hire her." So I didn't  
13 even really need to make any recommendations.  
14 Q. And what was she -- for what  
15 position was she hired?  
16 A. Customer service representative.  
17 Q. A teller?  
18 A. A teller position.  
19 Q. And is it fair to say that she left  
20 the bank in or about February 2010?  
21 A. Yes.  
22 Q. And during her entire tenure at  
23 BankAsiana, was she a customer service  
24 representative?  
25 A. No.

1 S. Ryu  
2 Q. Did her position change at some  
3 point?  
4 A. Yes.  
5 Q. And what was the new position?  
6 A. She was actually assistant to me,  
7 but she was working on other stuff as well.  
8 Q. When did she become your assistant?  
9 A. I think in October or so, perhaps.  
10 Q. October 2009?  
11 A. Yes.  
12 Q. And when she left in February of  
13 2010 -- so from October 2009 to February 2010,  
14 she was your assistant?  
15 A. Yes.  
16 Q. Did you have an affair with Ms. Pak?  
17 A. Yes.  
18 Q. And when did the affair begin?  
19 A. Maybe the end of December.  
20 Q. And when did it end?  
21 MR. DZARA: December of what year?  
22 THE WITNESS: December 2009.  
23 When did it end? September -- no.  
24 August of 2010.  
25 Q. What type of business did Seleste

1 S. Ryu

2 LLC conduct?

3 A. I believe Seleste, under Seleste LLC  
4 was just a cafe, you know. But I don't know  
5 whether -- there was another business, which  
6 was a hair salon. I don't know whether that  
7 was part of Seleste or not.

8 But either case, neither one of  
9 them, the cafe or the hair salon ever became  
10 under my legal control. Never had ownership of  
11 those.

12 I guess the -- the Seleste LLC  
13 between myself -- and, you know, I guess had  
14 the -- if you want to call it ownership -- we  
15 did. Other than that, under Seleste --  
16 actually, let me clarify.

17 Under Seleste there wasn't any  
18 really business that was under this company  
19 because none of those things ever materialized,  
20 you know, the hair salon and cafe. The lease  
21 was never transformed to this company. You  
22 know, we attempt to do so, just didn't happen.

23 And, you know, it began somewhere  
24 perhaps around December of 2009, but it all  
25 ended in July of 2010. So it was essentially

1 S. Ryu

2 about seven-month operation.

3 Q. So when you formed Seleste LLC with  
4 Ms. Pak, your intention was for this company to  
5 own and operate two businesses; one was a  
6 restaurant/cafe -- I believe you said it was  
7 called Kudo previously; and a hair salon, I  
8 believe which was called Luz, L-U-Z?

9 A. Yes.

10 Q. That was the intention, that was the  
11 plan?

12 MR. DZARA: You need to say "yes."

13 A. Yes.

14 BY MR. YI:

15 Q. And did you actually enter into any  
16 contracts in order to receive ownership  
17 interest in either of those two businesses?

18 A. I may have signed a, like, an MOU  
19 type of thing.

20 Q. Memorandum of understanding?

21 A. For the cafe, but never -- other  
22 than that, no.

23 Q. Do you remember who owned and  
24 operated the restaurant/cafe?

25 A. The cafe was -- the cafe failed

1 S. Ryu

2 sometime in 2009. And it was for, you know,  
3 what would you call it? Bank sale. And person  
4 that I know, H.K. Lee, who did advertising --  
5 he was owner of advertising company. He  
6 purchased it, and he wasn't doing anything with  
7 it.

8 And, yeah, that's who I made the MOU  
9 -- the memorandum of understanding to.

10 Q. Okay. So you were planning to  
11 purchase the restaurant/cafe from Mr. H.K. Lee?

12 A. Yes.

13 Q. And you entered into an MOU in order  
14 to do that?

15 A. Right.

16 Q. And it's your testimony that  
17 ultimately, there was formal agreement pursuant  
18 to which you or -- and/or Ms. Pak acquired the  
19 ownership rights to that restaurant?

20 A. Yes.

21 Q. Did you ever tell anybody that you  
22 owned and operated that restaurant?

23 MR. DZARA: Objection to form.

24 A. I don't think I -- I don't know.  
25 That's a good question, whether I owned and

1 S. Ryu

2 operated those things. But maybe I said I  
3 operated those things, because for a time being  
4 I was operating it, yes.

5 Q. Did Mr. Lee ever own and operate the  
6 restaurant?

7 A. Well, he was the owner. And after I  
8 withdrew from, you know, both the hair salon  
9 and cafe, Mr. Lee may have operated the cafe  
10 for a short duration.

11 Q. And was the cafe or restaurant --  
12 when it was operated, was it called Kudo Beans?

13 A. I'm not sure what he called it at  
14 that time, but...

15 Q. When you were operating it for  
16 whatever period of time --

17 A. Right.

18 Q. -- what was it called?

19 A. Well, I wanted to call it Seleste,  
20 but, you know, the landlord would not let us --  
21 the lease rights and therefore, we could not  
22 put any signages up, so there was no sign. So  
23 you know...

24 Q. There was no sign --

25 A. No sign.



1 S. Ryu  
 2 Q. -- when you were operating it?  
 3 A. No.  
 4 MR. DZARA: Michael, you said for  
 5 the period of time that he operated it. He  
 6 already testified the period of the time he  
 7 operated it.  
 8 BY MR. YI:  
 9 Q. And the period of time that you were  
 10 operating that restaurant, you were employed at  
 11 BankAsiana as the chief operating officer?  
 12 A. Yes.  
 13 Q. And senior vice president?  
 14 A. Yes.  
 15 Q. And chief compliance officer?  
 16 A. Yes.  
 17 Q. And BSA officer?  
 18 A. Yes.  
 19 Q. Did Ms. Pak also assist in the  
 20 operation of that restaurant business during  
 21 the time you were?  
 22 A. Yes.  
 23 Q. Did Mr. H.K. Lee have any  
 24 relationship -- was there any relationship with  
 25 him and Ms. Pak?

1 S. Ryu  
 2 A. Yes.  
 3 Q. And is it your testimony that  
 4 Mr. Lee sort of permitted you or allowed you to  
 5 operate the restaurant --  
 6 A. Yes.  
 7 Q. -- while he was still the owner?  
 8 A. Yes.  
 9 Q. And did you have any kind of  
 10 agreement with him, Mr. Lee?  
 11 A. As I indicated there was -- I  
 12 believe there was an MOU signed.  
 13 Q. And what was -- what did the MOU --  
 14 what did you agree to, in substance, with  
 15 Mr. Lee?  
 16 A. When -- I guess in order to have the  
 17 business interest under, you know,  
 18 corporation's name or your name, you're going  
 19 to have the lease rights of the premises. So  
 20 when that happens, I was to purchase the  
 21 business. But I never got the lease right.  
 22 And you have to remember that the  
 23 operating period was, you know, only seven,  
 24 eight months or so. Nothing ever happened.  
 25 Q. All right. So are you saying that

1 S. Ryu  
 2 A. No.  
 3 Q. Did Mr. -- did Ms. Pak's husband  
 4 have anything to do with this restaurant/cafe  
 5 business?  
 6 A. Yeah. He worked in some measures,  
 7 yes.  
 8 Q. When?  
 9 A. On and off. He -- maybe until May,  
 10 May of 2010.  
 11 Q. When did he start working there?  
 12 A. At the cafe?  
 13 Q. Yeah.  
 14 A. Maybe January or February.  
 15 Q. Do you know who hired him?  
 16 A. Well, you know, it wasn't really --  
 17 I don't know if you call it hiring. But it was  
 18 sort of like a partnership between, you know,  
 19 me, Eunhee, and her husband.  
 20 Q. Are you saying that the three of you  
 21 operated this restaurant/cafe even though none  
 22 of you had any ownership interest at any time  
 23 in --  
 24 A. Yes.  
 25 Q. -- in this business?

1 S. Ryu  
 2 you attempted to obtain a -- essentially a  
 3 lease estimate --  
 4 A. Sure.  
 5 Q. -- from either Mr. Lee or --  
 6 A. Mr. Lee had no rights.  
 7 Q. Who the leasehold rights?  
 8 A. The owner of the building. I don't  
 9 know his name.  
 10 Q. I see.  
 11 Is it -- are you saying that you  
 12 were trying to obtain a -- essentially a lease  
 13 to operate the restaurant?  
 14 A. It has to be transferred, you know,  
 15 a lease agreement. I was trying to do that.  
 16 But the building owner refused to do so. So...  
 17 Q. Okay. I'm sorry if I'm not  
 18 understanding.  
 19 The building owner I presume leased  
 20 the space to a party?  
 21 A. Mr. Lee.  
 22 Q. Mr. Lee?  
 23 A. Yes.  
 24 Q. And Mr. Lee was trying to assign his  
 25 leasehold rights under the lease to you?



1 S. Ryu  
2 A. Yes.  
3 Q. And it's your testimony that the  
4 landlord, essentially, the building owner did  
5 not approve that assignment?  
6 A. Yeah. He refused to do it.  
7 Q. Did you invest -- did you pay any  
8 money to Mr. Lee in connection with the  
9 attempted assignment of the lease and  
10 essentially takeover of the restaurant?  
11 A. Yeah. I believe I paid him \$10,000  
12 under MOU, from the money that I got from the  
13 4011 loan.  
14 Q. Okay. What about the --  
15 A. It was a deposit, by the way. It  
16 wasn't, you know -- for the hair salon? Paid  
17 nothing.  
18 Q. Who was --  
19 A. Hair salon was owned by Eunhee's  
20 husband's -- you know, husband and his brother.  
21 Q. And was the plan for to you purchase  
22 that business from Ms. Pak's husband and  
23 brother?  
24 A. Well, the hair salon business was  
25 not making any money, losing money, so they're

1 S. Ryu  
2 about to close down and take a significant  
3 loss. So it was our attempt to somehow try to,  
4 you know, revive the business. But ultimately,  
5 it failed.  
6 Q. When you say "our attempt," who are  
7 you referring to?  
8 A. Myself and Eunhee.  
9 Q. Just to be clear, and you Ms. Pak  
10 planned to purchase the hair salon business  
11 from her husband and her husband's brother, but  
12 in fact, you did not?  
13 A. Yeah, I guess you could put it that  
14 way.  
15 Q. Did you enter into any written  
16 agreements with Ms. Pak's husband and her  
17 husband's brother in connection with the  
18 planned purchase?  
19 A. No.  
20 Q. Did you make any deposit or give  
21 them any money in connection with the proposed  
22 purchase?  
23 A. No.  
24 Q. Did you derive any income from  
25 either the restaurant/cafe business or the hair

1 S. Ryu  
2 salon?  
3 A. No.  
4 Q. I believe you testified earlier that  
5 Ms. Pak left BankAsiana's employ in  
6 February 2010.  
7 A. Yes.  
8 Q. Do you know why she left?  
9 A. She left in order to focus more on  
10 the operating of the businesses.  
11 Q. When you say "operating of the  
12 businesses," which businesses are you referring  
13 to?  
14 A. Both the cafe and hair salon.  
15 Q. I'm sorry. I'm a little bit  
16 confused.  
17 Ms. Pak was working full-time at  
18 BankAsiana, correct?  
19 A. Part-time.  
20 Q. She was working part-time as your  
21 assistant --  
22 A. Mh-hm.  
23 Q. -- among other duties?  
24 A. Mh-hm.  
25 Q. During the time that she was

1 S. Ryu  
2 employed at BankAsiana, was she helping to  
3 operate both businesses, the restaurant and the  
4 hair salon?  
5 A. After hours, I believe so, a little  
6 bit.  
7 Q. Do you know, did there come a time  
8 when Ms. Pak moved from New Jersey and moved to  
9 California?  
10 A. In August of 2010, she had to go  
11 back to Korea. Business had failed and, you  
12 know, she had to leave to Korea. And I believe  
13 she -- on her way to Korea, she and her mother  
14 and kids stayed in California probably for a  
15 week or something.  
16 (Plaintiff's Exhibit 6, income tax  
17 returns for tax year 2010, marked for  
18 identification.)  
19 MR. DZARA: Off the record.  
20 (Discussion held off the record.)  
21 BY MR. YI:  
22 Q. Sir, I'm showing you what's been  
23 marked as Exhibit 6 to your deposition.  
24 Do you recognize it?  
25 A. Yes.

S. Ryu

Q. Is this a copy of your income tax returns for tax year 2010?

A. Yes.

Q. Again, it's a joint income tax return with you and your wife?

A. Yes.

Q. And if you take a look at line 7 on the first page, or the second page I should say, there's wages, salaries, tips, et cetera, in the amount of \$135,840.

Do you see that?

A. Yes.

Q. Does that reflect your W-2 income from BankAsiana for that year, 2010?

A. Yes.

Q. And if you go down to line 12, business income or loss, for that line there's a business loss reported of \$153,966.

Do you see that?

A. Yes.

Q. Do you know what that relates to?

A. I believe that loss incurred for operating the hair salon and cafe for eight months or so.

S. Ryu

Q. Okay. I'm going to ask you to turn to Schedule C which is, I believe, three pages later.

And Schedule C, profit or loss from business, has your name, your wife's name. Line A says "hair salon" and line C says "Luz Hair Boutique."

Was that the name of the hair salon?

A. Yes.

Q. And for the tax year 2010, did you have any ownership in that business?

A. No.

Q. And do you see gross receipts or sales line 1, \$235,119.

Do you see that?

A. Mh-hm. Yes.

Q. And then do you see at the bottom, net loss of \$80,185?

A. Yes.

Q. I'm going to ask you to turn to another Schedule C, which is a couple of pages later. Again, profit or loss from business. Has your name, your wife's name.

And for line A, it indicates

S. Ryu

"principal business or profession" states "restaurant and cafe."

And then C says "Seleste Cafe."

Do you see that?

A. Yes.

Q. And was that name of the restaurant and cafe?

A. Yes. Never had any sign up, but yes.

Q. Okay. And line 1, gross receipts or sales, the amount of \$75,325.

A. Yes.

Q. And on the bottom, line 31, net profit or loss, you reported a loss of \$73,781.

Do you see that?

A. Yes.

Q. And it -- was that correct, to the best of your recollection?

A. Yes, yes.

Q. Okay. And again, your understanding was that -- well, withdrawn.

Calendar or tax year 2010, it's your testimony that neither you, nor your wife had any ownership interest in this restaurant and

S. Ryu

cafe business called Seleste Cafe?

A. No.

Q. If you turn to Form 8582, which is a few pages later, "passive activity loss limitations."

If you look at line 4, it's indicating a loss of \$27,363.

Does that relate to the house that you were renting out in Los Angeles?

A. I am unsure.

Q. Did you still own the house in Los Angeles in 2010?

A. I think so, yeah. Well, next page indicates that, yes.

Q. Okay. So I'll ask you again: Does this Form 8582, indicating a loss of \$27,363, relate to your house that you were renting out in Los Angeles?

A. Yes.

Q. You didn't have any other investment properties?

A. No.

Q. There was an address in Northridge, California.

1 S. Ryu  
2 A. Mh-hm.  
3 Q. Did you own any properties in  
4 Northridge, California?  
5 A. Well, this Oakhurst Way, this is in  
6 Northridge.  
7 Q. Is it in Northridge, or is it in Los  
8 Angeles?  
9 A. Northridge, right.  
10 Q. Is Northridge a town or a  
11 municipality or...  
12 A. Well, you know, I'm not even sure,  
13 but --  
14 Q. Is it fair to say you can refer to  
15 it as Los Angeles, this address, as well as  
16 Northridge?  
17 A. Yeah. Somehow it kind of works out  
18 there that way. It's very different from here.  
19 Q. It's like Queens, New York.  
20 A. I suppose.  
21 Q. There are towns in Queens that you  
22 refer to, for instance, Flushing, Queens.  
23 A. Right. Yeah. Regular Los Angeles  
24 area is huge, you know.  
25 Q. Okay. Just to be clear --

1 S. Ryu  
2 A. Yeah.  
3 Q. -- the only rental property or  
4 investment property that you had in 2009 and  
5 2010 was the house whose address is indicated  
6 here, 11763 Oakhurst Way?  
7 A. Yes.  
8 Q. In either Los Angeles or Northridge,  
9 California?  
10 A. Yes.  
11 Q. So for tax year 2010, your adjusted  
12 gross income for that year -- and when I say  
13 yours, I'm talking about you and your wife  
14 combined -- was negative \$101,525?  
15 A. Yes.  
16 Q. And you received a refund of \$5 for  
17 that tax year?  
18 A. I'm not sure.  
19 Q. If you look at page 2 of Form 1040,  
20 which is really page 3 of this exhibit, it says  
21 there's a column or line called "refund 73."  
22 It says \$5.  
23 A. I guess that's -- that is it.  
24 (Plaintiff's Exhibit 7, income tax  
25 returns for tax year 2011, marked for

1 S. Ryu  
2 identification.)  
3 BY MR. YI:  
4 Q. I'm showing you what's been marked  
5 as Exhibit 7 to your deposition.  
6 Do you recognize it?  
7 A. Yes.  
8 Q. Is this a copy of your income tax  
9 returns for tax year 2011?  
10 A. Yes.  
11 Q. Again, it's a joint income tax  
12 return by you and your wife.  
13 And if you look at line 7, wages,  
14 salaries, tips, et cetera, there's an amount of  
15 \$151,250.  
16 Does that reflect your W-2 income  
17 from BankAsiana?  
18 A. Yes.  
19 Q. And if you go down to line 12,  
20 business income or loss, there's a loss,  
21 business loss of \$47,538.  
22 Do you know what that relates to?  
23 A. I'm not sure.  
24 Q. I'm going to ask you to turn to  
25 Schedule C, which is a few pages --

1 S. Ryu  
2 MR. DZARA: He's at it.  
3 BY MR. YI:  
4 Q. Schedule C, profit or loss from  
5 business, sole proprietorship, has your name.  
6 And line A, principal business or profession  
7 says consulting.  
8 A. Yes.  
9 Q. And it's showing a net loss on line  
10 31 of \$47,538.  
11 A. Yes.  
12 Q. Can you tell us what the nature of  
13 that consulting business was?  
14 A. Well, after tremendous loss, you  
15 know, I was trying at that time, aside from  
16 banking, and the corporation is aware about,  
17 you know, the restaurant operation, the hair  
18 salon operation, this type of a consulting  
19 attempt and things like that.  
20 There's a company called Reliance in  
21 -- headquartered in Mumbai, India. And the  
22 Reliance USA owns huge, huge cinema chains and  
23 nearly 50 percent of ownership of Dreamworks  
24 with Steven Spielberg. And it's an India  
25 company -- it's -- probably it's Global 100, if

1 S. Ryu  
2 not better.  
3 But at that time we were trying to  
4 introduce business to Reliance USA because they  
5 own and operate huge postproduction shops in  
6 Burbank, California -- Hollywood, essentially.  
7 And I was trying to link various different  
8 companies to refer them for business and things  
9 like that.  
10 And it never worked out. So, in  
11 essence, this is what that is.  
12 Q. Okay. So you were providing  
13 consulting services to certain clients in  
14 calendar year 2011, in addition to your  
15 full-time job at BankAsiana?  
16 A. Yes.  
17 Q. And who were the clients for whom  
18 you provided consulting services?  
19 A. Reliance USA.  
20 Q. Reliance USA?  
21 A. Yeah.  
22 Q. Any other clients?  
23 A. Not that I recall. Reliance was the  
24 company.  
25 Q. And I'm sorry if I didn't quite

1 S. Ryu  
2 understand.  
3 What was the nature of the  
4 consulting services?  
5 A. Well, it was linking businesses to  
6 -- referral business to a huge film production  
7 company based in -- well, they have offices  
8 here in New York, too. But mostly based in  
9 Burbank, California.  
10 It still exists, Reliance USA. If  
11 you see some of the movies, you will see  
12 Reliance involved in many of them.  
13 Q. For the tax year -- I'm sorry.  
14 A. Go ahead.  
15 Q. For tax year 2011, I'm referring to  
16 line 37, the first page of form 1040. Your  
17 adjusted gross income, your joint adjusted  
18 gross income for tax year 2011 was \$103 and  
19 \$712, correct?  
20 A. Yes.  
21 MR. DZARA: Objection.  
22 BY MR. YI:  
23 Q. I'm sorry. \$103,712.  
24 A. Yes.  
25 (Plaintiff's Exhibit 8, e-mail to a

1 S. Ryu  
2 person by the name Mi Hyung Kim, marked for  
3 identification.)  
4 BY MR. YI:  
5 Q. I'm showing you what's been marked  
6 as Exhibit 8 to your deposition.  
7 Do you recognize this?  
8 A. Now that I see it, yes.  
9 Q. Is it a copy of your e-mail to a  
10 person by the name Mi Hyung Kim, M-I,  
11 H-Y-U-N-G, last name Kim, K-I-M?  
12 A. Yes.  
13 Q. From March 4, 2010, 11:42 a.m.  
14 Eastern Standard Time?  
15 A. Yes.  
16 Q. By the way, Mi Hyung Kim was someone  
17 who previously worked at BankAsiana?  
18 A. Yes.  
19 Q. When I say "previously," I mean  
20 prior to March 2010.  
21 A. Yes.  
22 Q. And second page is her e-mail to you  
23 from February 9, 2010, correct?  
24 A. Yes.  
25 Q. Okay. So she e-mailed you on

1 S. Ryu  
2 February 9, 2010, then you responded to her  
3 e-mail on March 4, 2010?  
4 A. Yes.  
5 Q. And I would like to direct your  
6 attention to -- all right. Let me just read it  
7 to you and then I'll ask you some questions.  
8 In this e-mail, you say, "Mi Hyung,  
9 I trust that you are doing well. Thank you for  
10 your call on my birthday. You were right.  
11 That was my birthday."  
12 When is your birthday?  
13 A. February 18th.  
14 Q. "There are some interesting  
15 endeavors that I am engaged in. First, I have  
16 rebuilt and currently beginning to operate Kudo  
17 Beans Cafe. It is a longer story,  
18 nevertheless, I am on this."  
19 Do you see that?  
20 A. Yes.  
21 Q. And is that statement accurate?  
22 A. Yeah. Yes.  
23 Q. Next you say, "Second, I have  
24 acquired a huge hair/styling salon in  
25 Edgewater, called Luz. You may know this

1 S. Ryu  
2 place."  
3 Do you see that?  
4 A. Yes.  
5 Q. Was that an accurate statement?  
6 A. Well, inaccurate. I acquired the  
7 operation of Luz. But it sounds like I'm  
8 saying I own it, which is untrue. So that  
9 statement is incorrect. It's misleading.  
10 Q. "So the above two are being operated  
11 by acquaintances and my wife. They are not as  
12 tactful, so it can be challenging, but I know  
13 the businesses are going to be fine. I  
14 acquired both for basically no money. So far I  
15 spent perhaps 35,000 for both. The hair salon  
16 alone was built with \$1.1 million. And you  
17 know Kudo Beans, right?"  
18 So let me take this in parts.  
19 A. Sure.  
20 Q. You indicate that the two businesses  
21 are being operated by acquaintances and your  
22 wife.  
23 Was that a correct statement?  
24 A. Yes.  
25 Q. Who are the acquaintances?

1 S. Ryu  
2 A. Yes. That's why there is some  
3 \$150,000 loss for operating these things for,  
4 you know, six, seven months because there was  
5 -- actually, for cafe, there was extensive  
6 renovation. It didn't cost very much, but it  
7 was pretty, you know, extensive cosmetically,  
8 so that took quite a bit. You know.  
9 Q. And it says "The hair salon alone  
10 was built with \$1.1 million."  
11 Is that money that you spent?  
12 A. No. That was money spent by  
13 Eunhee's husband and husband's brother.  
14 Q. And then you go on to say, "Third, I  
15 almost acquired Sports Soul aka Sports Chosun."  
16 C-H-O-S-U-N. "Nevertheless, I decided to hold  
17 off for now."  
18 Do you see that?  
19 A. Yes.  
20 Q. Why did you decide to hold off?  
21 A. Oh, because it was losing money.  
22 MR. DZARA: Objection. Form.  
23 BY MR. YI:  
24 Q. You then go on to say, "Fourth, last  
25 October" --

1 S. Ryu  
2 A. Eunhee and her husband.  
3 Q. You say, "I acquired both for  
4 basically no money. So far I have spent  
5 perhaps 35,000 for both."  
6 Was that a correct statement?  
7 A. Well, the word "acquired" seems to  
8 be that I legally own it, so that's not  
9 correct. As far as spending about 35,000 at  
10 that point, that's probably true.  
11 Q. You mentioned a \$10,000 deposit when  
12 you signed the MOU --  
13 A. Yes.  
14 Q. -- with Mr. J.H. Lee.  
15 What other monies did you -- when  
16 you say "35,000 for both," what were you  
17 referring to, other than the 10,000 deposit we  
18 talked about?  
19 A. The remodeling of the cafe took  
20 quite a bit of money, and also some  
21 readjustment to hair salon took money as well.  
22 Q. So the renovation of the hair salon,  
23 did you pay for the renovation?  
24 A. Yeah.  
25 Q. Did you yourself alone?

1 S. Ryu  
2 A. Yeah.  
3 Q. -- "I went to Costa Rica, Central  
4 American country. I am involved with  
5 infrastructure project there."  
6 And you go on to talk about that  
7 infrastructure project.  
8 Do you see that?  
9 A. Yes.  
10 Q. And those statements in that  
11 paragraph, the fourth paragraph, are those  
12 statements correct?  
13 A. Yes.  
14 Q. And that was during the time you  
15 were working full-time at BankAsiana?  
16 A. Yes. As a matter of fact, I met  
17 with number of cabinet leaders and the vice  
18 president of the country during that trip. And  
19 it was very interesting opportunity. Nothing  
20 ever materialized, but you know...  
21 I went there, as a matter of fact,  
22 with my ex-boss from Center Bank, Mr. Kim and  
23 his wife and -- you know, Mr. Kim introduced me  
24 and other guys who were involved in this  
25 project to --



1 S. Ryu  
 2 Q. Sir, if I may just -- my question  
 3 simply was, and did you --  
 4 A. Yes.  
 5 Q. -- get involved in this  
 6 infrastructure project in Costa Rica during the  
 7 time --  
 8 A. Yes.  
 9 Q. -- you were working full-time at  
 10 BankAsiana?  
 11 A. Yes, yes.  
 12 Q. Thank you.  
 13 (Plaintiff's Exhibit 9, financial  
 14 statement as of March 31, 2010, marked for  
 15 identification.)  
 16 BY MR. YI:  
 17 Q. I'm showing you what's been marked  
 18 as Exhibit 9 to your deposition.  
 19 Do you recognize this document?  
 20 A. Yes.  
 21 Q. Is this your personal financial  
 22 statement as of March 31, 2010?  
 23 A. Yes.  
 24 Q. Who prepared this?  
 25 A. I think I did. Or maybe someone

1 S. Ryu  
 2 as life insurance, real estate, you know,  
 3 things like that -- yeah, that's -- some things  
 4 are there.  
 5 Q. And as of March 31, 2010, did you  
 6 actually have any readily marketable securities  
 7 of 350,000?  
 8 A. I may have some, but I don't think I  
 9 did.  
 10 Q. How much -- approximately how much  
 11 do you think you had?  
 12 A. I'm not sure.  
 13 Q. Accounts receivable of 45,000, what  
 14 is that indicating?  
 15 A. That's probably from an account  
 16 receivable from the businesses, perhaps. But  
 17 again, I'm not really sure. Like I said, these  
 18 things are exaggerated for the purpose of  
 19 submitting application to private landlord,  
 20 so...  
 21 Q. But the accounts receivable you  
 22 believe was indicating or relating to the two  
 23 businesses that we talked about?  
 24 A. I would have to think so.  
 25 Q. And net surrender value of life

1 S. Ryu  
 2 else helped me.  
 3 Q. Did Frank Gleeson help you prepare  
 4 this document?  
 5 A. He may have.  
 6 Q. And let's go through this. Under  
 7 assets column, cash in the bank, 35,000.  
 8 To the best of your recollection,  
 9 was that approximately what you had in your  
 10 bank account?  
 11 A. Maybe. Perhaps.  
 12 Q. And readily marketable securities of  
 13 350,000. Is that what you had as of March 31,  
 14 2010?  
 15 A. I'm not sure. But see, this  
 16 statement I believe was utilized to send it to  
 17 the landlord of hair salon as a part of the  
 18 application for signing of the lease, which it  
 19 was denied, so -- but I think this was part of  
 20 that.  
 21 So I hate to say, but some of these  
 22 things are blown up a little bit.  
 23 Q. All right.  
 24 A. So I don't know the accuracy of it.  
 25 But I mean, you know, things that are -- such

1 S. Ryu  
 2 insurance, 50,000.  
 3 I imagine you have whole life  
 4 insurance and that's the net surrender of cash  
 5 value?  
 6 A. I'm not sure. There was some cash  
 7 value which later I cashed in. But, you know,  
 8 again, this is nearly ten years ago for, you  
 9 know, attempt to get a signed lease. So if you  
 10 are asking me specifics, whether I recall that  
 11 I had or not, as I already indicated, these are  
 12 exaggerated numbers.  
 13 As to what I have and whatnot, I  
 14 could explain it to you. But as to the exact  
 15 numbers, probably not right.  
 16 Q. Did you have whole life insurance  
 17 policy in March of 2010?  
 18 A. I did have life insurance policy,  
 19 but I don't know the difference between the  
 20 whole life and half-life, you know, whatever  
 21 you call it, so...  
 22 Q. Well, it's whole versus term.  
 23 A. I don't really know.  
 24 Q. All right. Residential real estate,  
 25 700,000.



1 S. Ryu  
2 Is that indicating your home --  
3 A. Yes.  
4 Q. -- in New Jersey?  
5 A. Yeah.  
6 Q. Did you have a mortgage?  
7 A. Yeah.  
8 Q. And that's 350,000, which is on the  
9 liabilities column on the right?  
10 A. I suppose so, yes.  
11 MR. DZARA: Objection.  
12 A. 600 and something.  
13 Q. 650,000?  
14 A. Yes.  
15 Q. That's relating to the residential  
16 real estate of 700,000?  
17 A. Yes.  
18 Q. Real estate investments, 850,000.  
19 What does that indicate?  
20 A. I would think that's a residence in  
21 California.  
22 Q. So it's one, one property?  
23 A. Right.  
24 Q. And did you have a mortgage on that?  
25 A. Yes.

1 S. Ryu  
2 Q. So the mortgages payable on the  
3 liabilities column on the right of 650,000, is  
4 that just for the New Jersey house, or is that  
5 combining both the mortgage on New Jersey house  
6 and the mortgage on the rental property in  
7 California?  
8 A. Perhaps a combination. But as I  
9 said, then that would be not exaggerated. That  
10 would be a shrinkage. I mean, like I said,  
11 this is just really attempt to submit some sort  
12 of picture of my financial condition just to  
13 get a signed lease.  
14 Q. Partnership/business investments of  
15 150,000.  
16 What does that relate to? What is  
17 that indicating?  
18 A. It's probably indicating maybe the  
19 cafe, since this was for the purpose of the  
20 hair salon.  
21 Q. The cafe and the hair salon?  
22 A. I'm not sure.  
23 Q. Invested retirement accounts of  
24 250,000?  
25 A. That's probably indicating my 401k,

1 S. Ryu  
2 but I never had that much. Again, this is  
3 exaggerated.  
4 Q. Automobile collection of 250,000?  
5 A. I may have up to 100,000 -- no,  
6 actually, more than that in terms of automobile  
7 collection. Not 250,000.  
8 Q. As of March 31 2010, could you just  
9 tell us what your collection consisted of?  
10 A. As of 2010, let me see. I may have  
11 had, like, six different cars.  
12 Q. Tell us what they were.  
13 A. Lotus Esprit, Porsche 911, Audi A8.  
14 Q. A8 or an A8 L?  
15 A. A8 L. Land Rover Discovery. Toyota  
16 FJ 6. And a Volkswagen van.  
17 Q. Those are the six?  
18 A. I think so, yeah.  
19 Q. Do you still have all of those cars  
20 or automobiles?  
21 A. Except for the van, they are all  
22 gone.  
23 Q. Sold?  
24 A. Some sold. Some, you know, crashed.  
25 You know. Some basically stolen, but...

1 S. Ryu  
2 Q. Let's go to the liabilities column.  
3 Notes payable of 35,000, what is  
4 that indicating?  
5 A. I'm not sure. But maybe that's  
6 401k. I'm not sure.  
7 Q. Consumer credit payable of \$40,000,  
8 what is that indicating?  
9 A. That's probably my creditor debt.  
10 But, in fact, my creditor debt was much larger  
11 than that.  
12 Q. Approximately how much do you think  
13 it was?  
14 A. Probably nearly 100,000.  
15 Q. Taxes payable of 17,000, what does  
16 that indicate to you?  
17 A. I'm not sure. Yeah, just taxes that  
18 I suppose I have to pay.  
19 Q. Did you have any other liabilities  
20 that are not listed here as of March 31, 2010?  
21 A. Not sure. There may be.  
22 MR. YI: Do you want to take a quick  
23 break, or do you want to keep going? We'll  
24 go to 1 o'clock.  
25 We're going to go into the

Page 102

1 S. Ryu  
 2 afternoon. Do you want to take a lunch  
 3 break at 1 o'clock?  
 4 MR. DZARA: Sure.  
 5 MR. YI: It's now about 12:34. So  
 6 we'll stop at 1:00 for a break.  
 7 BY MR. YI:  
 8 Q. Do you know a person by the name of  
 9 Michael Kim?  
 10 A. Yes.  
 11 Q. Did he die sometime last year?  
 12 A. It may have been a couple of years  
 13 ago.  
 14 Q. Couple years ago.  
 15 And are you familiar with a company  
 16 called KORE Consulting?  
 17 A. Yes.  
 18 Q. K-O-R-E Consulting?  
 19 And was that Michael Kim's company?  
 20 A. I believe so.  
 21 Q. Is it fair to say the nature of that  
 22 company's business was lending?  
 23 A. I think that's one of the business  
 24 -- one of the businesses KORE Consulting was  
 25 doing. I think it was a referral business

Page 104

1 S. Ryu  
 2 A. Yes.  
 3 Q. With respect to services rendered by  
 4 Robert Yu for you --  
 5 A. Yes.  
 6 Q. -- and/or Ms. Pak and your company  
 7 Seleste LLC, did you ever pay him?  
 8 A. Some. It wasn't very much. It was  
 9 just being a friend, you know.  
 10 Q. Okay. Did you ever receive a  
 11 personal -- did you ever receive a loan from  
 12 either Michael Kim or his company, KORE  
 13 Consulting?  
 14 A. Yes.  
 15 Q. And was in or about April 2010?  
 16 A. Yes.  
 17 Q. Do you remember how much?  
 18 A. 50,000.  
 19 Q. And was it from Michael Kim himself,  
 20 or was it from his company, KORE Consulting?  
 21 A. Unsure, but I think it was from his  
 22 company.  
 23 Q. And that was during the time you  
 24 were senior vice president and chief operating  
 25 officer of BankAsiana?

Page 103

1 S. Ryu  
 2 facility of loans from banks to clients and  
 3 such.  
 4 Q. By the way, when Robert Yu was  
 5 either representing you or helping you in  
 6 connection with the formation of Seleste LLC,  
 7 and you mentioned that he helped you with  
 8 another related matter, was he also serving as  
 9 outside counsel to BankAsiana?  
 10 A. I'm not sure as outside counsel, but  
 11 on certain, I believe loan transactions, many  
 12 different attorneys did, you know, oversee the  
 13 loans, or assist the loan processing process.  
 14 And I believe Robert Yu did some of that stuff,  
 15 too.  
 16 Q. Okay. So are you indicating that he  
 17 did perform legal services or render legal  
 18 services as an attorney for BankAsiana during  
 19 your tenure at the bank?  
 20 A. Yes.  
 21 Q. And he was one of the closing  
 22 attorneys --  
 23 A. Yes.  
 24 Q. -- loan closing attorneys for the  
 25 bank?

Page 105

1 S. Ryu  
 2 A. Yes.  
 3 Q. And during that time, April 2010,  
 4 was Michael Kim -- did he -- was he a customer  
 5 of BankAsiana?  
 6 A. Yeah. Yes.  
 7 Q. And was his company KORE Consulting  
 8 also BankAsiana's customer?  
 9 A. I think so.  
 10 Q. Did Michael Kim in 2010 have any  
 11 other companies or businesses?  
 12 A. I think he did.  
 13 Q. Do you remember the names of any  
 14 other companies or businesses?  
 15 A. I know he had something, but I do  
 16 not recall the name.  
 17 Q. Was he referring borrowers to  
 18 BankAsiana --  
 19 A. I believe he was.  
 20 Q. -- during your tenure at the bank?  
 21 A. I believe he was.  
 22 Q. And for those referrals, did he  
 23 receive a fee or some type of payment from  
 24 BankAsiana?  
 25 A. I believe so.

Page 106

1 S. Ryu  
2 Q. What was the arrangement, as far as  
3 you can recall?  
4 A. I was not -- I was never involved in  
5 any lending operation of banking business, so  
6 I'm unclear as to the exact nature of the terms  
7 and conditions for his referrals and whatnot.  
8 But I know that it referred to loan  
9 clients to BankAsiana, and I think he was paid  
10 in certain percentage.  
11 Sorry. (Cellphone ring.)  
12 (Answer was read back as follows:  
13 "ANSWER: I was not -- I was never  
14 involved in any lending operation of  
15 banking business, so I'm unclear as to the  
16 exact nature of the terms and conditions  
17 for his referrals and whatnot. But I know  
18 that it referred to loan clients to  
19 BankAsiana, and I think he was paid in  
20 certain percentage.)  
21 BY MR. YI:  
22 Q. So if Michael Kim or his company  
23 referred a potential borrower to the bank,  
24 BankAsiana, and that person or company ended up  
25 closing a loan and getting a loan from the

Page 108

1 S. Ryu  
2 and he -- I think he let me borrow 15,000. I  
3 think that makes exactly 50,000.  
4 And in which for Youngsam Yu and  
5 SOYU ARCHitecture, I paid him back, like,  
6 \$1,500 per month for the next ten months or  
7 whatnot. So I think I did pay him back in  
8 December of 2010, not 2011.  
9 (Plaintiff's Exhibit 10, account  
10 overdrawn advice notifications from then  
11 Royal Asian Bank, marked for  
12 identification.)  
13 BY MR. YI:  
14 Q. I'm showing you what's been marked  
15 as Exhibit 10 to your deposition.  
16 Do you recognize that?  
17 A. Yes.  
18 Q. And I'll represent to you that these  
19 are documents that we received from Noah Bank,  
20 formerly known as Royal Asian Bank, in response  
21 to our subpoena duces tecum, and the --  
22 Do you recall receiving these  
23 account overdrawn advice notifications from  
24 then Royal Asian Bank?  
25 A. Do I recall? No, I don't.

Page 107

1 S. Ryu  
2 bank, then Michael Kim or his company would  
3 receive a percentage of that loan amount, yes?  
4 A. Yes.  
5 Q. Why did you borrow 50,000 from  
6 either Michael Kim or his company KORE  
7 Consulting in April of 2010?  
8 A. Because of -- mainly because of the  
9 hair salon, and to help operations of the cafe  
10 and hair salon.  
11 Q. Did you complete the repayment of  
12 that loan?  
13 A. Yes.  
14 Q. When approximately?  
15 A. Maybe -- it's either the end of 2010  
16 or end of 2011. I'm not sure.  
17 Q. And what were the -- what was the  
18 source of funds with which you made those loan  
19 repayments?  
20 A. For beginning, the \$10,000 deposit  
21 that I made to operate the cafe, I got that  
22 back. Oh, and I took out an employee loan, I  
23 think for \$25,000. And Mr. Hur arranged this  
24 personal loan from Youngsam Yu, who was the --  
25 who was an architect called SOYU ARCHitecture,

Page 109

1 S. Ryu  
2 Q. Have you had a chance to take a look  
3 at this?  
4 A. Yeah, I just skimmed through it  
5 right now.  
6 Q. Okay. And is this accurate -- does  
7 this refresh your recollection as to that --  
8 this Seleste LLC account at then Royal Asian  
9 Bank had a negative -- essentially, an account  
10 overdrawn status?  
11 MR. DZARA: Objection to form.  
12 BY MR. YI:  
13 Q. During the time indicated in these  
14 documents, July 2010, September 2010,  
15 August 2011?  
16 A. Yeah, it does indicate that.  
17 Q. Okay. Do you know why this account  
18 was overdrawn during that time period?  
19 A. I have no idea.  
20 Q. What was money that -- why did you  
21 open up this account?  
22 A. Because of the cafe and hair salon.  
23 Q. And do you recall how much you  
24 deposited into this account when you opened it?  
25 A. No, I don't recall.

1 S. Ryu  
 2 Q. Is it fair to say it was fairly  
 3 minimal?  
 4 A. Yeah, it was.  
 5 Q. And is it fair to say that during  
 6 the entire time -- during the entire account  
 7 history of this account --  
 8 A. Yes.  
 9 Q. -- that it was either overdrawn or  
 10 it had minimal amounts?  
 11 A. I would think -- I would guess.  
 12 Q. Okay.  
 13 (Plaintiff's Exhibit 11, e-mail  
 14 string, marked for identification.)  
 15 BY MR. YI:  
 16 Q. I'm showing you what's been marked  
 17 as Exhibit 11 to your deposition.  
 18 Do you recognize the e-mails that  
 19 are in this exhibit?  
 20 A. Yes.  
 21 Q. Okay. Let me first ask you to turn  
 22 to page 3.  
 23 A. Yes.  
 24 Q. On the bottom of page 3, is that a  
 25 copy Ms. Pak's e-mail to Robert Yu, and you

1 S. Ryu  
 2 were copied on that from January 14, 2010,  
 3 4:15 p.m.?  
 4 A. Yeah, it looks that way.  
 5 Q. And there's a reference to  
 6 Mrs. Cherie Ryu.  
 7 A. Yes.  
 8 Q. Cherie is C-H-E-R-I-E, Ryu, Kudo  
 9 Beans former owner. And then it has a  
 10 cellphone number.  
 11 Do you know who that person is?  
 12 A. Yeah, that's the previous owner of  
 13 Kudo Beans before Mr. Lee purchased from bank  
 14 sale.  
 15 Q. Any relation?  
 16 A. No, no relation.  
 17 Q. And if you turn to page 1, on the  
 18 bottom there's a -- that's an e-mail from  
 19 Robert Yu to you, with a CC to Pak.  
 20 And in that e-mail there's a  
 21 reference to a 50,000 --  
 22 MR. DZARA: Can we go off the  
 23 record.  
 24 (Discussion held off the record.)  
 25 MR. YI: Sir, I think the privilege

1 S. Ryu  
 2 belongs to you. Are you asserting the  
 3 privilege?  
 4 MR. DZARA: For the record, as the  
 5 conversation we had off the record, Robert  
 6 Yu -- Mr. Ryu already testified that Robert  
 7 Yu was the attorney for Seleste LLC. The  
 8 two members of Seleste LLC are James Ryu  
 9 and Eunhee Pak, which have already been  
 10 established by testimony today by Mr. Ryu.  
 11 These communications that you're  
 12 showing, as Plaintiff Ryu alleged, are all  
 13 communications between Ms. Pak, Mr. James  
 14 Ryu, and Mr. Yu. So therefore, it's my  
 15 opinion I never produced these documents.  
 16 Wilshire Bank did, because they were using  
 17 James -- they were from James e-mail  
 18 account at Bank Asiana, which I never had  
 19 access to. Only Wilshire Bank did and  
 20 Mr. Yi and his colleagues.  
 21 So it is my opinion that all of  
 22 those e-mails are privileged communications  
 23 between the attorney and client, and I'm  
 24 instructing Mr. Ryu not to answer any  
 25 questions about these, and I'm also asking

1 S. Ryu  
 2 Mr. Yi to turn over all communications that  
 3 he has that have or have not produced that  
 4 are communications between Mr. Ryu and --  
 5 Mr. James Ryu and Ms. Pak. So I think we  
 6 could put this e-mail aside.  
 7 MR. YI: Okay.  
 8 MR. DZARA: He doesn't need to  
 9 confirm them. I'm asserting the objection  
 10 and I'm instructing him not to answer. So  
 11 he's not going to answer.  
 12 MR. YI: All right.  
 13 MR. DZARA: Off the record.  
 14 (Discussion held off the record.)  
 15 MR. YI: Well, I don't think there's  
 16 any material or any information here that  
 17 is in any way sensitive. I think this  
 18 relates to the \$50,000 loan that we've  
 19 already discussed. So I don't see any  
 20 reason to assert the privilege.  
 21 MR. DZARA: It's a privileged  
 22 communication between a lawyer and two  
 23 representative members of the LLC.  
 24 MR. YI: That's fine.  
 25 MR. DZARA: You should never have

Page 114

1 S. Ryu  
2 been able to look at them, number one.  
3 So move on to your next question and  
4 your next exhibit, please.  
5 (Plaintiff's Exhibit 12, MOU, marked  
6 for identification.)  
7 MR. DZARA: And we're going to have  
8 to circle back at the end, figure out what  
9 to do with these e-mails because they can't  
10 be used for any purpose. Next question.  
11 BY MR. YI:  
12 Q. So I'm showing you what's been  
13 marked as Exhibit 12 to your deposition.  
14 Do you recognize this?  
15 A. Yes.  
16 Q. Is this the MOU that you were  
17 referring to or is this a different MOU?  
18 A. I think this is the MOU that I was  
19 referring to.  
20 Q. Earlier you testified that you had  
21 contemplated acquiring the ownership interest  
22 of Sports Chosun from a Mr. Lee, and that you  
23 ultimately decided to hold off and you didn't  
24 actually go through with it.  
25 Is this an MOU relating to Sports

Page 115

1 S. Ryu  
2 Chosun?  
3 A. Yes. So going back, this is not --  
4 this MOU is not related to the cafe.  
5 Q. Okay. The businesses that we  
6 discussed previously, Kudo Beans and the hair  
7 salon, did there come a time when those  
8 businesses stopped operating, closed down?  
9 A. Oh. You mean, closing down as to --  
10 Q. No longer in operation.  
11 A. By me or...  
12 Q. By anybody.  
13 A. I'm not sure when.  
14 Q. By you? By you --  
15 A. Both in July of 2010.  
16 Q. What happened to the two businesses  
17 after you stop operating and closed it down?  
18 A. I think Mr. Lee operated the cafe  
19 for -- I don't know how long, you know, using  
20 someone, I believe. The hair salon, I have no  
21 idea.  
22 Q. So as of July 2010, neither you nor  
23 Ms. Pak were operating those businesses?  
24 A. Yes, correct.  
25 Q. And Ms. Pak's husband and the

Page 116

1 S. Ryu  
2 husband's brother were also no longer operating  
3 the hair salon?  
4 A. Right.  
5 Q. With respect to the proposed  
6 assignment of the lease for the cafe, did the  
7 landlord ever tell you why the proposed lease  
8 assignment was not approved?  
9 A. No. He just said, "This lease was  
10 for Mr. Lee." That's all he had to say.  
11 Q. But he made the decision not to  
12 approve the proposed lease assignment after you  
13 submitted your personal financial statement,  
14 correct?  
15 A. I never submitted any financials to  
16 the building owner of the cafe. That  
17 particular financial statement, that was for  
18 lease for the hair salon.  
19 Q. Lease for the hair salon?  
20 A. Right.  
21 Q. And was the lease obtained after the  
22 financials were submitted?  
23 A. No.  
24 Q. It was not approved?  
25 A. I think I indicated before that

Page 117

1 S. Ryu  
2 neither one of those businesses, the leases  
3 ever were converted to -- under the company or  
4 my name.  
5 Q. Okay.  
6 MR. YI: I think we're going to take  
7 a break now.  
8 (Recess is taken.)  
9 BY MR. YI:  
10 Q. Okay. Sir, before we go back to  
11 some of the exhibit documents, I'd like to go  
12 over some bank accounts that you have and  
13 credit cards that you have.  
14 Do you currently have a bank account  
15 or accounts at Noah Bank?  
16 A. No.  
17 Q. Do you currently have any bank  
18 accounts with JPMorgan Chase?  
19 A. No.  
20 Q. Do you currently have any bank  
21 accounts at TD Bank?  
22 A. Yes.  
23 Q. New Millennium Bank?  
24 A. Yes.  
25 Q. The account at New Millennium Bank



Page 118

1 S. Ryu  
 2 -- by the way, is it one account --  
 3 A. Yes.  
 4 Q. -- New Millennium Bank?  
 5 A. Yeah.  
 6 Q. And is it a joint account with your  
 7 wife?  
 8 A. Yes.  
 9 Q. Center Bank?  
 10 A. No.  
 11 Q. You did have an account at  
 12 BankAsiana and Wilshire Bank that's been  
 13 closed?  
 14 A. Yes.  
 15 Q. So currently, you have bank accounts  
 16 at TD Bank and New Millennium Bank?  
 17 A. Yes.  
 18 Q. The account at TD Bank, is it your  
 19 name only, or is it a joint account?  
 20 A. My name only.  
 21 Q. Does your wife have any bank  
 22 accounts in her name only?  
 23 A. No.  
 24 Q. Okay. Let's go back to 2009, the  
 25 time period of 2009 to 2014.

Page 119

1 S. Ryu  
 2 During that time period, did you  
 3 have any bank accounts at Noah Bank?  
 4 A. Yes.  
 5 Q. Or formerly known as Royal Asian  
 6 Bank?  
 7 A. Yes.  
 8 Q. How many accounts?  
 9 A. I think one.  
 10 Q. Was it in your name only?  
 11 A. One was in Seleste, I believe. I  
 12 don't know that I had a personal account there  
 13 or not. I'm not sure.  
 14 Q. Okay. I think we have some  
 15 documents showing Seleste LLC's account.  
 16 A. Right.  
 17 Q. And I think the name of the bank at  
 18 the time was Royal Asian Bank. We'll go over  
 19 that.  
 20 A. Right.  
 21 MR. DZARA: We've already looked at  
 22 those.  
 23 BY MR. YI:  
 24 Q. You don't -- you didn't have any  
 25 other accounts?

Page 120

1 S. Ryu  
 2 A. I don't think so. For Royal Asian,  
 3 I think Seleste may have been only account.  
 4 Q. Okay. During the same time period,  
 5 did you have any bank accounts at JPMorgan  
 6 Chase?  
 7 A. Yes.  
 8 Q. How many?  
 9 A. Just one.  
 10 Q. In your name only?  
 11 A. Yes.  
 12 Q. And was that a checking? Savings?  
 13 A. Checking.  
 14 Q. Checking?  
 15 A. It might have been checking and  
 16 savings. I don't know.  
 17 Q. And approximately when did you close  
 18 that account at Chase?  
 19 A. Maybe 2015.  
 20 Q. During that time period, did you --  
 21 did your son or your daughter have any bank  
 22 accounts?  
 23 A. From 2014, I don't think so, no.  
 24 But they do have a -- they do have accounts at  
 25 TD now.

Page 121

1 S. Ryu  
 2 Q. Okay. Have we covered all of the  
 3 bank accounts that you had during the time  
 4 period of 2009 to 2014?  
 5 A. Yeah, I think so.  
 6 Q. Whether, you know, held only in your  
 7 name or jointly with others?  
 8 A. Yes.  
 9 Q. So you didn't have any joint  
 10 accounts, bank accounts where the account  
 11 holder was you and someone else, other than  
 12 your wife, like your son, your daughter, your  
 13 father --  
 14 A. I don't think so.  
 15 Q. -- your brother?  
 16 A. No.  
 17 Q. Okay. Credit cards.  
 18 First, I'm going to ask you about  
 19 the credit cards you currently have.  
 20 What are the credit cards -- let me  
 21 just list them for you, and you can tell me.  
 22 A. Sure.  
 23 Q. Chase Slate?  
 24 A. Yeah, that account may or may not be  
 25 open anymore. I'm just completely late, all



Page 122

1 S. Ryu  
 2 the payments. So I think it's safe to even  
 3 assume that they're all closed, all Chase  
 4 accounts.  
 5 All the -- I have no credit card as  
 6 of current because I think they have -- what do  
 7 you call it? Charged off the whole credit  
 8 card, you know, business with me all together,  
 9 as of today.  
 10 Q. Okay. So is it fair to say that  
 11 with respect to Chase Slate, you are not  
 12 currently using that card?  
 13 A. Oh, not at all. I have not used  
 14 that card for a long time.  
 15 Q. And you believe the account has been  
 16 closed?  
 17 A. I think so.  
 18 Q. Chase Freedom credit card?  
 19 A. Same story.  
 20 Q. Chase, Inc. --  
 21 A. Same.  
 22 Q. -- which appears to be a business  
 23 credit card?  
 24 A. Same story.  
 25 Q. What is the -- who's the account

Page 123

1 S. Ryu  
 2 holder --  
 3 A. Me.  
 4 Q. -- for Chase, Inc.?  
 5 A. Myself.  
 6 Q. It's you?  
 7 A. Yes.  
 8 Q. And same sorry?  
 9 A. Yup.  
 10 Q. Discover?  
 11 A. Yes. Same story.  
 12 Q. Same story?  
 13 Capital One?  
 14 A. Same story.  
 15 Q. And Synchrony Bank?  
 16 A. Same story.  
 17 Q. R Us credit card, I think it's  
 18 called?  
 19 A. Right, right.  
 20 Q. Same story?  
 21 A. Yes.  
 22 Q. So is it fair to say that you  
 23 currently do not have or use any credit cards?  
 24 A. Correct.  
 25 Q. Do you have any charge cards?

Page 124

1 S. Ryu  
 2 A. Charge cards? I have debit card.  
 3 That's the only card that I have.  
 4 Q. And with whom do you have a debit  
 5 card?  
 6 A. TD Bank.  
 7 Q. Okay. Now, going back to 2009-2014  
 8 time period.  
 9 Chase Slate?  
 10 A. I think I have it, yeah.  
 11 Q. Chase Freedom?  
 12 A. Yes.  
 13 Q. Chase, Inc.?  
 14 A. Yes.  
 15 Q. Discover?  
 16 A. I think so, yes.  
 17 Q. Capital One?  
 18 A. May not have had, but maybe.  
 19 Q. Synchrony Bank?  
 20 A. Same thing, maybe I had it, you  
 21 know.  
 22 Q. So is it fair to say that, to the  
 23 best of your recollection, during the period of  
 24 2009-2014, during that time period, you did  
 25 have and use the credit cards that we just went

Page 125

1 S. Ryu  
 2 over?  
 3 A. Yes, Yes.  
 4 Q. Any other credit cards that we  
 5 didn't discuss?  
 6 A. I don't think so.  
 7 Q. And the debit card at -- the TD Bank  
 8 debit card, that's tied to your TD Bank  
 9 account?  
 10 A. Yes.  
 11 Q. In your name only?  
 12 A. Yes.  
 13 Q. For the joint account at New  
 14 Millennium Bank, do you also have a --  
 15 A. Debit card.  
 16 Q. -- debit card?  
 17 A. Yes.  
 18 Q. You have one -- you and your wife  
 19 both have a debit card?  
 20 A. Yes.  
 21 Q. Now, just want to go over the list  
 22 of your wife's credit cards.  
 23 I have Citibank credit card.  
 24 A. The list that you probably have  
 25 there of -- all of our credit cards are closed.

1 S. Ryu  
 2 Currently, she has no credit cards.  
 3 Q. Okay. And when we went over your  
 4 list of your credit cards and you said "same  
 5 story," would that apply to your wife's credit  
 6 cards, same story meaning that --  
 7 A. Yeah, it was -- sorry.  
 8 Q. Same story meaning that those credit  
 9 cards are no longer being used, and to the best  
 10 of your knowledge, those account, credit card  
 11 accounts have been closed?  
 12 A. Yes.  
 13 Q. And that's the Citibank, American  
 14 Express, Capital One, HSBC, Discover?  
 15 A. Yes.  
 16 Q. Did your wife at one time have any  
 17 other credit cards?  
 18 A. I don't think so.  
 19 Q. And from the time period of 2009 to  
 20 2014, to the best of your knowledge, did your  
 21 wife have a credit card with those following  
 22 credit cards: Citibank, American Express,  
 23 Capital One, HSBC, Discover?  
 24 A. Yes.  
 25 Q. During the time period of 2009 to

1 S. Ryu  
 2 2014, did either your son or your daughter have  
 3 any credit cards?  
 4 A. No.  
 5 (Plaintiff's Exhibit 13, Advantage  
 6 money market account, account number ending  
 7 6775, marked for identification.)  
 8 BY MR. YI:  
 9 Q. Sir, I'm showing you what's been  
 10 marked as Exhibit 13 to your deposition.  
 11 Do you recognize this document?  
 12 MR. DZARA: Which pages?  
 13 BY MR. YI:  
 14 Q. Let's just look at the first page  
 15 for now.  
 16 And I'll represent to you that these  
 17 documents were produced to us by Noah Bank in  
 18 response to our subpoena duces tecum.  
 19 And on the top, it says "BankAsiana,  
 20 Inc." And then in the middle of the first  
 21 page, it says "Advantage money market account."  
 22 A. Yes.  
 23 Q. Account number ending 6775.  
 24 A. Yes.  
 25 Q. Can you tell us what this is?

1 S. Ryu  
 2 A. Yeah. This is the balance that was  
 3 left over while BankAsiana was being  
 4 incorporated back in 2006, 2007 --  
 5 Q. Time period?  
 6 A. -- and whatnot, yeah. And the  
 7 investors' money were deposited into Royal  
 8 Asian Bank, so that the -- we would be able to  
 9 spend our operating expenses from Royal Asian  
 10 Bank to build BankAsiana.  
 11 Q. So these monies belong to -- is it  
 12 fair to say that these monies belong to the  
 13 investors of BankAsiana?  
 14 A. Or BankAsiana the organization, you  
 15 would call. But, you know, once investors put  
 16 out their risk money, that's -- you know, that  
 17 goes into the organization.  
 18 Q. So put another way, the monies  
 19 belong to the shareholders of BankAsiana, Inc.?  
 20 A. Yes, yes.  
 21 Q. Were you a shareholder?  
 22 A. No.  
 23 Q. Was any member of your family a  
 24 shareholder of BankAsiana, Inc.?  
 25 A. Not at that time. After BankAsiana

1 S. Ryu  
 2 got regulatory approval and everything so that  
 3 we would be able to sell stocks of BankAsiana  
 4 to public, then my brother and my father owned  
 5 portion of stock at BankAsiana.  
 6 Q. And how much did they invest to get  
 7 stock?  
 8 A. I think \$100,000.  
 9 Q. Each?  
 10 A. I think both combined.  
 11 Q. And did any of that money come from  
 12 you?  
 13 A. No.  
 14 Q. Their own money?  
 15 A. Yeah.  
 16 Q. Do you have -- did you have any  
 17 rights or interest to any of the money that's  
 18 reflected on this exhibit?  
 19 A. No.  
 20 (Plaintiff's Exhibit 14, document  
 21 signed for business account Seleste LLC at  
 22 Royal Asian Bank, marked for  
 23 identification.)  
 24 BY MR. YI:  
 25 Q. I'm showing you what's been marked

1 S. Ryu  
2 as Exhibit 14 to your deposition.  
3 Do you recognize this document?  
4 A. Yes.  
5 Q. Is this a document that you  
6 completed and signed in order to open the  
7 business account for Seleste LLC at Royal Asian  
8 Bank? And I believe the time period is  
9 January 2010 or March -- I'm sorry, March 2010.  
10 A. Yeah, yeah. March 2010.  
11 Q. All right. I'm sorry. Can you go  
12 back to that exhibit.  
13 In this one, two, three -- fourth  
14 box on the left, it says "Date opened,  
15 March 22, 2010, by Soyeng Im." That's  
16 S-O-Y-E-N-G. Last name I-M.  
17 Do you know who that is?  
18 A. That's the bank person.  
19 Q. I see. Okay. Thank you.  
20 (Plaintiff's Exhibit 15, bank  
21 statements that relate to the bank accounts  
22 of Seleste LLC, marked for identification.)  
23 BY MR. YI:  
24 Q. I'm showing you what's been marked  
25 as Exhibit 15 to your deposition.

1 S. Ryu  
2 previously, so we'll just mark it now. So  
3 we're going a little bit out of the order.  
4 MR. DZARA: I don't have a copy.  
5 MR. YI: You don't have a copy?  
6 MR. DZARA: You don't have a copy  
7 for me?  
8 (Discussion held off the record.)  
9 BY MR. YI:  
10 Q. I'm showing you what's been marked  
11 as Exhibit 16 to your deposition.  
12 And I'll represent to you that this  
13 is a copy of Bo Young Lee's e-mail to Irene  
14 Lee, from October 30, 2013, 7:02 p.m.  
15 And the subject is "401k loan  
16 payment due James Ryu."  
17 And the e-mail indicates "410k loan  
18 payment due for James" -- and then it says  
19 B-A-H-J-N, which I believe refers to sort of  
20 your honorary position, a Korean honorary  
21 position at the bank.  
22 And it has \$274.61 times two. And  
23 then he says \$549.22 per month.  
24 Do you see that?  
25 A. Yes.

1 S. Ryu  
2 Do you recognize these documents?  
3 A. Yes.  
4 Q. Okay. And I'll represent to you  
5 that we received these documents from Noah Bank  
6 in response to our subpoena duces tecum.  
7 Are these copies of the bank  
8 statements that relate to the bank accounts of  
9 Seleste LLC, which was opened at Royal Asian  
10 Bank, and the bank is now known as Noah Bank,  
11 for the time periods that are indicated in  
12 these documents?  
13 A. Yeah, it looks that way.  
14 Q. Okay. I've gone through this and it  
15 appears that the balance for the most part was  
16 less than \$50; is that correct?  
17 A. Probably.  
18 Q. Is that consistent with your  
19 recollection?  
20 A. Yeah.  
21 (Plaintiff's Exhibit 16, Young Lee's  
22 e-mail to Irene Lee, from October 30, 2013,  
23 7:02 p.m., marked for identification.)  
24 MR. YI: I think there was a  
25 document that I intended to go over

1 S. Ryu  
2 Q. Was that -- were you making a  
3 monthly repayment of your 401k loan, and is  
4 that consistent with your recollection that it  
5 was \$549.22 per month?  
6 A. Yes. I don't know whether it was  
7 540-something or 270-something. But, you know,  
8 it was monthly payment going towards 401k.  
9 Looking at the time of October 30th, that's  
10 after I left the bank.  
11 So must mean that Bo Young Lee  
12 wanted have Irene contact me to pay this. But  
13 soon here after, I pay back the loan. But  
14 anyhow...  
15 Q. So is it fair to say that after you  
16 took out the 401k loan in 2010, while you were  
17 employed by the bank, you were repaying that  
18 loan on a monthly basis?  
19 A. Yes.  
20 Q. And during your tenure at the bank,  
21 after you took out the 401k loan, were you  
22 making the payment yourself?  
23 A. Well, I was ultimately paying it.  
24 But as to making the payments, somebody else  
25 could have it done for me.

S. Ryu

Q. Who would have done it for you?

A. Irene perhaps. I mean, you know, she would write the check, and I would sign it. Then she deposits it, or something like that.

Q. Did you have an assistant after Ms. Pak left the bank --

A. Yes.

Q. -- August of 2010?

A. Yes.

Q. Who was that?

A. Irene.

Q. Irene Lee?

A. Yeah.

Q. And as your assistant, was one of her -- one of the things that she did for you was to make this monthly payment towards the 401k loan?

A. I think so.

Q. In or about May -- I'm sorry, in or about April of 2010, did you apply to Royal Asian Bank for a loan for your company Seleste LLC?

A. Yes, I did. I think I remember, yes.

S. Ryu

Q. What was the amount of the loan that you applied for?

A. I'm not sure. Maybe 150,000.

Q. Did Royal Asian Bank make the loan to you?

A. No.

Q. Or to Seleste LLC?

A. No.

Q. What was the -- what were you going to use the proceeds of the loan for, if the loan had been approved?

A. Operations and maybe paying the rent money. You know, running the business.

Q. When you say "running the business," are you referring to both the cafe and the hair salon?

A. Yes.

(Plaintiff's Exhibit 17, two e-mails, marked for identification.)  
BY MR. YI:

Q. I'm showing you what's been marked as Exhibit 17 to your deposition.

Do you recognize the two e-mails that are contained in this exhibit?

S. Ryu

A. Oh, yeah. Yes.

Q. Okay. On the bottom of the first page, starting from actually the top of the second page on to the bottom of the first page, is that a copy of Marie Lee's e-mail to you, May 17, 2010, 1:37 p.m., subject is "Seleste LLC"?

A. Yes.

Q. And Marie Lee at the time was with Royal Asian Bank, now called Noah Bank. And in that e-mail, did she notify you that the loan that you had applied for had been declined?

A. Yes.

Q. And she lists the three reasons why the loan had been declined?

A. Yes.

(Plaintiff's Exhibit 18, e-mail from Jeanne Kim, at Woori America Bank, marked for identification.)

BY MR. YI:

Q. I'm showing you what's been marked as Exhibit 18 to your deposition.

Do you recognize this -- these two

S. Ryu

e-mails?

A. Now that I look at it, yes.

Q. On the bottom of this page, or this exhibit, is that a copy of an e-mail from -- I believe the person's English name is Jeanne Kim, at Woori America Bank, to you, from April 30, 2010, 9:16 a.m. Subject is "Benex Corp"?

A. Yes.

Q. And is it fair to say that in that e-mail Ms. Kim of Woori America Bank is informing you that Woori America Bank is exercising its right in accelerating the loan made to Benex Corp. because of event of default --

A. Yes.

Q. -- payment default, I believe?

A. Yes.

Q. Are you familiar with Benex Corp.?

A. Yes.

Q. What is that company?

A. That is a company formed by Eunhee's husband and his brother. The loan they obtained from Woori America to make the hair salon.

Page 138

S. Ryu

Q. And Benex Corp. was the company that was -- that owned and operated the hair salon?

A. Yes.

Q. And was that prior to you getting involved with the operation?

A. Yes.

Q. And the top of this exhibit, you took that e-mail and you forwarded it to Ms. Pak, correct?

A. Yes.

Q. What happened with this loan to Benex Corp., if you know?

A. I'm not -- I'm unsure, but my guess is, it would -- the whole thing was charged off, probably.

Q. When you say, "the whole thing was charged off," you mean the loan was in some off in some respect by Woori America Bank?

A. Yeah.

Q. Do you know whether there was ever a legal action taken by Woori American Bank against Benex Corp. or any of their guarantors on the loan?

A. I don't have any idea.

Page 139

S. Ryu

Q. Why was Woori America Bank sending you this e-mail?

A. Because -- let's see. Oh, I wanted to see if Woori Bank would transfer loan to me or, you know, Seleste or whatnot. And I went to meet them and it never materialized. But for my information purposes, Woori America send this e-mail to me.

Q. Is it fair to say that you had offered to assume all of the obligations of the loan --

A. Yes.

Q. -- on behalf of Benex Corp.?

A. Yes.

Q. And is it fair to say that Woori America Bank did not approve the proposed assumption of the loan?

A. Yes. I'm very glad that they didn't.

MR. YI: Off the record.

(Discussion held off the record.)

(Plaintiff's Exhibit 19, e-mail

string with an e-mail from Jon Schwitzer, marked for identification.)

Page 140

S. Ryu

BY MR. YI:

Q. Sir, I'm showing you what's been marked as Exhibit 19 to your deposition, and I'm only going to ask you questions about the very first e-mail that is shown in this exhibit on the second page, the bottom of the second page.

A. Yes.

Q. Is that a copy of an e-mail from Jon Schwitzer -- J-O-N, Schwitzer, S-C-H-W-I-T-Z-E-R, to you, with copies to your attorney and someone named Joseph Rotolo (phonetic) from June 3, 2010, 10:49 a.m.?

A. Yes.

Q. And in that e-mail Mr. Schwitzer states: "Gentlemen, I'm writing because of the fact that we have not yet received a check for the June rent."

And then he goes on, indicating that "You would continue to pay regular monthly reoccurring charges in the amount of \$16,965.80 per month on or before the first day of each month." And he goes on, "Until the assignment agreement is concluded."

Page 141

S. Ryu

Do you see that?

A. Yes.

Q. And then it also references 8 percent late fee stipulated in the lease in the next paragraph.

Do you see that?

A. Yes.

Q. So is it fair to say while that you were waiting for approval of the proposed lease assignment for the hair salon, you had agreed to assume the monthly rent payments --

A. Yes.

Q. -- for the hair salon?

A. Yes.

Q. And that was 16,000 -- a little less than 17,000 a month?

A. Yes.

Q. And did you in fact make those payments?

A. I made actually two payments from the money that I borrowed from Michael Kim.

Q. And why did you stop making the rent payments after the two months you mentioned?

A. Because it was just complete loss.



1 S. Ryu  
2 And, you know, it would throwing \$17,000 to,  
3 you know, river. So as you could see, this is  
4 in June 30th, a day after, or two after I said,  
5 you know, finished to the businesses.  
6 Q. This e-mail is dated June 3, 2010?  
7 A. June 3rd, is it?  
8 Q. June 3, 2010.  
9 A. Oh, yeah. So maybe some 30 days  
10 later, I said. Oh, okay.  
11 (Plaintiff's Exhibit 20, e-mail and  
12 the attachment, marked for identification.)  
13 BY MR. YI:  
14 Q. I'm showing you what's been marked  
15 as Exhibit 20 to your deposition.  
16 Do you recognize this e-mail and the  
17 attachment?  
18 A. Oh. The -- now, I remember. There  
19 was a person --  
20 Q. Do you recognize the exhibit?  
21 A. Yes.  
22 Q. The e-mail and attachment?  
23 A. Yes.  
24 Q. Can you tell us who Mr. Gong is?  
25 A. Initially, I did not remember what

1 S. Ryu  
2 this was at all. But now that I look at the --  
3 now that I look at it carefully, Mr. Gong is  
4 somebody that I really don't know well, but who  
5 was very interested in purchasing the hair  
6 salon.  
7 So he -- and I'm not sure what was  
8 his inability, but he wanted to help him get  
9 lease assigned to him, you know, from the  
10 landlord of hair salon.  
11 He wanted me to --  
12 Q. If I may, do you remember the name  
13 of Mr. Gong (phonetic)?  
14 A. No, I don't.  
15 MR. DZARA: You mean the first name?  
16 MR. YI: Yes, the full name.  
17 BY MR. YI:  
18 Q. The full name?  
19 A. I don't.  
20 Q. His e-mail address is  
21 KGS918@hotmail.com.  
22 Does that refresh your recollection?  
23 A. Not all.  
24 Q. Did Mr. Gong ever execute this  
25 agreement?

1 S. Ryu  
2 A. No.  
3 Q. As of July 14, 2010, you were  
4 employed by BankAsiana as senior vice president  
5 and chief operating officer, correct?  
6 A. Yes.  
7 Q. And that was your work e-mail,  
8 correct, JamesRyu@BankAsiana.com?  
9 A. Yes.  
10 Q. Did you have any dealings with  
11 Mr. Gong after this?  
12 A. No.  
13 (Plaintiff's Exhibit 21, e-mail and  
14 attachment, marked for identification.)  
15 BY MR. YI:  
16 Q. Before we get to that exhibit, the  
17 next exhibit, in April or May of 2010, did you  
18 apply for a loan from Mariner's Bank for the  
19 cafe business?  
20 A. I may have, yes.  
21 Q. Seleste LLC?  
22 A. Yes.  
23 Q. And do you recall what the amount of  
24 the loan that you were seeking was?  
25 A. No, I don't. No.

1 S. Ryu  
2 Q. Not at all?  
3 A. Not at all.  
4 Q. Was --  
5 A. Probably, you know, the more the  
6 better type of, you know...  
7 Q. Do you have any recollection as to  
8 just kind of an approximate range that you had  
9 applied for?  
10 A. No. I don't think I ever applied  
11 formally to Mariner's Bank.  
12 Q. Did you make an inquiry as to  
13 whether you can obtain a loan from Mariner's  
14 Bank either for yourself or for Seleste LCC?  
15 A. It was for cafe, I believe. And  
16 Frank used to be CFO of Mariner's, so I think  
17 either he offered to see whether I could get a  
18 loan or whatnot. But beyond that, I don't  
19 really recall the details.  
20 Q. And did Mariner's Bank ever approve  
21 a loan either to you or Seleste LLC?  
22 A. No.  
23 Q. I'm showing what's been marked as  
24 Exhibit 21 to your deposition.  
25 Do you recognize the e-mail and the

1 S. Ryu  
 2 attachment?  
 3 A. Yes.  
 4 Q. And is the e-mail a copy of an  
 5 e-mail from Frank Gleeson to you, from October  
 6 5, 2011, 11:49 a.m.?  
 7 The subject is "Seleste."  
 8 A. Yes.  
 9 Q. And second page of this exhibit is a  
 10 document called "Business Income Statement,  
 11 January 2010 to July 2010."  
 12 A. Yes.  
 13 Q. So is it fair to say that Seleste  
 14 LLC was the company that you had planned on  
 15 acquiring both the hair salon and the cafe?  
 16 A. Yes.  
 17 Q. And by "acquire," I mean ownership  
 18 interest?  
 19 A. Yes.  
 20 Q. And the second page of this exhibit  
 21 is showing both the revenue and expenses for  
 22 the two business?  
 23 A. Yes.  
 24 Q. And then the third column "Combined"  
 25 is for the combined number?

1 S. Ryu  
 2 11:49 a.m., Frank Gleeson was senior vice  
 3 president and the chief financial officer of  
 4 BankAsiana?  
 5 A. Yes.  
 6 Q. And you were at the time senior vice  
 7 president and COO?  
 8 A. Yes.  
 9 (Plaintiff's Exhibit 22, e-mail to  
 10 Mr. Henry Chi, marked for identification.)  
 11 BY MR. YI:  
 12 Q. Sir, I'm showing you what's been  
 13 marked as Exhibit 22 to your deposition.  
 14 Do you recognize the e-mail and the  
 15 attachment?  
 16 A. Yes.  
 17 Q. First e-mail, is that a copy of your  
 18 e-mail to Mr. Henry Chi, C-H-I, from  
 19 October 12, 2012, 10:17 a.m.?  
 20 A. Yes.  
 21 Q. And is the attachment -- withdrawn.  
 22 You stated in that e-mail it is the  
 23 loss details of Seleste Consulting for 2011.  
 24 Do you see that?  
 25 A. Yes.

1 S. Ryu  
 2 A. Yes.  
 3 Q. And do you know who prepared that  
 4 business income statement?  
 5 A. I think Frank did.  
 6 Q. And did Frank prepare that statement  
 7 at your request?  
 8 A. I am not sure. It must have been.  
 9 Q. And the business income statement  
 10 shows net income is actually net loss for the  
 11 hair salon of 103,000 and change. Cafe, it's  
 12 just under 90,000. Again, it's a net loss.  
 13 Do you see that?  
 14 A. Yes.  
 15 Q. So it's a combined loss of just  
 16 under 200,000 for the two businesses?  
 17 A. Yes.  
 18 Q. Is that consistent with your  
 19 recollection?  
 20 A. I would think so. You know,  
 21 anywhere from 150- to 200,000 was a total loss  
 22 for that, you know, period, for trying to  
 23 operate the businesses, ultimately, yes.  
 24 Q. Okay. At the time that Mr. Gleeson  
 25 sent this e-mail to you on October 5, 2011, at

1 S. Ryu  
 2 Q. And I believe we reviewed earlier  
 3 your joint income tax return for tax year 2011,  
 4 which had certain business loss.  
 5 A. Yes.  
 6 Q. And is this second page of this  
 7 Exhibit a document that you prepared concerning  
 8 that loss?  
 9 A. Yes.  
 10 Q. And you e-mailed it to Mr. Chi.  
 11 Is Mr. Chi your accountant?  
 12 A. Yes.  
 13 Q. So looking at the second page of  
 14 this exhibit, for the year 2011 you had  
 15 revenue, which is described as professional  
 16 fees of 3,500, and you have total expenses of  
 17 just under 50,000; is that correct?  
 18 A. Yes.  
 19 Q. The 3,500 professional fees, from  
 20 whom did you receive those fees?  
 21 A. I think I got it from Reliance, or  
 22 one of their subsidiary businesses.  
 23 As I indicated before to you, it's  
 24 -- Reliance USA operates many film-related  
 25 businesses here in the USA. But again, this is

1 S. Ryu  
 2 nearly ten years ago -- or six years ago, yeah.  
 3 My memory serves me correctly, I think that's  
 4 what it was.  
 5 Q. Under "expenses," you have legal of  
 6 \$5,355.  
 7 Was that payment you made to Robert  
 8 Yu?  
 9 A. I may presume so, but I'm not sure.  
 10 Q. Was Robert Yu representing you in  
 11 connection with your consulting -- Seleste  
 12 Consulting business?  
 13 A. Well, you know, Robert Yu and I had,  
 14 you know, ongoing good friendship for years.  
 15 So, yeah, I would assume that may have been the  
 16 case.  
 17 Q. Seleste Consulting, was that a  
 18 company that was formally formed or  
 19 incorporated?  
 20 A. No.  
 21 Q. It was a sole proprietorship?  
 22 A. Yes.  
 23 Q. You testified earlier that you took  
 24 out an employee loan in the amount of \$25,000  
 25 from BankAsiana.

1 S. Ryu  
 2 A. Yes.  
 3 Q. When did you take that loan?  
 4 A. Maybe October, November of 2010.  
 5 Q. Did you take any additional loans  
 6 from SOYU ARCHitecture?  
 7 A. No.  
 8 Q. At the time that you took a loan of  
 9 \$50,000 from SOYU ARCHitecture --  
 10 MR. DZARA: Objection.  
 11 BY MR. YI:  
 12 Q. -- was that company --  
 13 MR. DZARA: Michael, he said 15,000.  
 14 BY MR. YI:  
 15 Q. I'm sorry, 15,000. I apologize.  
 16 Was that company or firm a vendor of  
 17 BankAsiana?  
 18 A. Not at that current time. But we  
 19 used them before for architectural works, yes.  
 20 Mr. Hur, good friend of the guy. So...  
 21 Q. So the SOYU ARCHitecture was the  
 22 company that renovated the headquarters of  
 23 BankAsiana, correct, in Palisades Park?  
 24 A. I think so. I think they did that.  
 25 Q. During your employment at

1 S. Ryu  
 2 Was that in October 2010?  
 3 A. It sounds about right.  
 4 Q. And did the employee loan program at  
 5 BankAsiana begin in or about September 2010?  
 6 A. Sounds about right.  
 7 Q. And did you complete repayment of  
 8 that loan to BankAsiana?  
 9 A. Yes.  
 10 Q. When was that?  
 11 A. I think it was October of 2013.  
 12 Q. Was that around the time that the  
 13 merger was completed?  
 14 A. After merger was completed. Or  
 15 exactly when I was terminated, I paid that  
 16 back.  
 17 Q. You mentioned earlier that you had  
 18 taken a \$50,000 loan from either Michael Kim or  
 19 his company, KORE Consulting.  
 20 Did you receive any additional loans  
 21 from either Michael Kim or KORE Consulting?  
 22 A. No.  
 23 Q. You mentioned a loan from SOYU  
 24 ARCHitecture that was arranged by Mr. Hur, and  
 25 you said it was \$15,000; is that correct?

1 S. Ryu  
 2 BankAsiana, did you ever ask any officers or  
 3 employees of the bank or a loan?  
 4 A. Yeah. Yes.  
 5 Q. To whom did you ask for a loan?  
 6 A. Well, a few persons.  
 7 Q. From whom? I'm sorry.  
 8 A. Bo Young Lee is one. Jessica --  
 9 Q. Kim?  
 10 A. Jessica Kim.  
 11 And this was the period of running,  
 12 of operating the businesses. And Chanlai Park,  
 13 C-H-A-N-L-A-I, Park. And Mr. Hur.  
 14 Q. Bo Young Lee, Jessica Kim, Chanlai  
 15 Park. And that's C-H-A-N-L-E-I?  
 16 A. L-A-I.  
 17 Q. L-A-I. Park.  
 18 And Hong Sik Hur?  
 19 A. Yes.  
 20 Q. Did any of them lend you money?  
 21 A. Mr. Hur and Chanlai Park did.  
 22 Q. How much did Mr. Park -- oh, I'm  
 23 sorry, Ms. Park?  
 24 A. Oh, 2,500, 3,000, or something like  
 25 that.

S. Ryu

Q. Did she lend you anything other than 3,000?

A. No.

Q. Just 3,000 approximately?

A. Yes.

Q. Mr. Hur?

A. Maybe 3,500.

Q. Just one loan?

A. Yes.

Q. Bo Young Lee?

A. No.

Q. Jessica Kim?

A. No.

Q. Any other officers or employees?

A. No.

Q. Did you repay Ms. Park?

A. Yes.

Q. Did you repay Mr. Hur?

A. Yes.

Q. When did you -- approximately when did you take a loan from Ms. Park?

A. Maybe March of 2010.

Q. And Mr. Hur?

A. Probably at the same time.

S. Ryu

Q. What were the loans for? What did you use the proceeds for?

A. To pay employees for working at cafe.

Q. Anything else?

A. No.

(Plaintiff's Exhibit 23, e-mail to Mr. Kumar, marked for identification.)  
BY MR. YI:

Q. Sir, I'm showing you what's been marked as Exhibit 23 to your deposition.

Do you recognize this e-mail and the attachment?

A. Yes.

Q. And is the e-mail a copy of your e-mail to Mr. Kumar, K-U-M-A-R, first name Uday, U-D-A-Y, from June 13, 2012, 3:30 p.m., subject is "RSK/Seleste presentation"?

A. Yes.

Q. And the attachment is described as "Selet Korea" -- S-E-L-E-T -- "Korea-animation venture"?

A. Yes.

Q. Have we talked about this project?

S. Ryu

A. Yes.

Q. Is this the one where -- does this relate to --

A. Reliance.

Q. Reliance?

A. Yes.

Q. And Mr. Kumar is a representative of Reliance?

A. I think he still is the CEO of Reliance USA.

Q. Reliance USA.

And this attachment, the presentation material, do you know who prepared this?

A. I did.

Q. Before we move on to the next exhibit, I want to come back to this exhibit. And I'm going to ask you to take a look at -- there's no page number, but it's a page that has a heading "Consideration on Details-Principals."

A. Yes.

Q. Strategic alliance. Then it has two arrows down there. It says "Rainbow Salad

S. Ryu

Korea/Seleste, CEO James S. Ryu will facilitate this alliance."

Do you see that?

A. Yes.

Q. What is Rainbow Salad Korea/Seleste?

A. Rainbow Salad Korea I believe is name of a company out in Korea that facilitates moviemaking. And this /Seleste means nothing. That's that, and this is this.

Q. When you say "CEO James S. Ryu," CEO of which entity are you referring to?

A. Seleste.

Q. That would be Seleste LLC?

A. Sure. I'm just using the name. That's all.

MR. DZARA: LLC don't have officers. There could no CEO in an LLC.

A. This is printed in a really weird way. I don't know why it printed this way.

Q. As of June 2012, were you -- did you hold a title of CEO at any company?

A. No. This is a proposal.

Q. Okay. So you were proposing that you would be the -- if this proposal was

1 S. Ryu  
2 accepted and executed, you would have expected  
3 to be CEO of what entity?

4 MR. DZARA: Objection. There's zero  
5 foundation in that question.

6 Answer if you can.

7 A. I guess, my own company. Seleste, I  
8 suppose. Yes, Seleste. I don't know what this  
9 -- I hardly recall this Rainbow Salad thing.  
10 But I mean, if you were curious, this M Venture  
11 (phonetic), you could research. It's a huge  
12 company that invests a lot of money in movies.

13 (Plaintiff's Exhibit 24, notice from  
14 GE Capital Retail Bank, marked for  
15 identification.)

16 BY MR. YI:

17 Q. I'm showing you what's been marked  
18 as Exhibit 24 to your deposition.

19 Do you recognize this document?

20 And I'll represent to you that this  
21 exhibit is a document that we received from  
22 Synchrony Bank in response to our subpoena  
23 duces tecum.

24 A. Now, when I look at it, yeah, I  
25 recall.

1 S. Ryu

2 Q. Okay. As far as you know, did you  
3 receive a copy of this notice on or about  
4 October 29, 2012, from GE Capital Retail Bank?

5 A. Well, Synchrony Bank I think bought  
6 off GE Capital, so I did not immediately  
7 recognize this documentation. But yeah, it  
8 looks like I did receive it. But in context  
9 what they're saying is that they're cutting my  
10 limit because my credit level is too high or  
11 whatnot. So...

12 Q. Right.

13 So in this -- in this letter to you,  
14 dated October 29, 2012, notice letter, GE  
15 Capital Retail Bank is stating it has decided  
16 to lower the credit limit on your R Us  
17 Mastercard account to \$3,810, correct?

18 A. Yes.

19 Q. And they cite the reasons for the  
20 down as to why they made that decision.

21 A. Yes. It was a bummer, you know.

22 (Plaintiff's Exhibit 25, e-mail from  
23 Bo Young Lee, marked for identification.)

24 BY MR. YI:

25 Q. I'm showing you what's been marked

1 S. Ryu  
2 as Exhibit 25 to your deposition.

3 Do you recognize this document?

4 A. Yes.

5 Q. Is this a copy of an e-mail from Bo  
6 Young Lee to a number of then-employees of  
7 BankAsiana, and the subject of this e-mail is a  
8 sort of a farewell party or gathering for  
9 Ms. Pak --

10 A. Yes.

11 Q. -- at Kudo Beans after the staff  
12 meeting the following the day of this e-mail?

13 A. Yes.

14 Q. And did you attend that farewell  
15 gathering?

16 A. Yes.

17 (Plaintiff's Exhibit 26, checks  
18 issued to KORE, marked for identification.)

19 BY MR. YI:

20 Q. I'm showing you what's been marked  
21 as Deposition Exhibit 26 to your deposition.

22 Do you recognize these documents?

23 A. Yes.

24 Q. Are these copies of checks that you  
25 signed and that you issued to KORE or KORE

1 S. Ryu  
2 Consulting?

3 A. Yes.

4 Q. And the dates of the checks are  
5 indicated.

6 Those are your handwriting, right?

7 A. Yes.

8 Q. That's your signatures on those  
9 checks?

10 A. Yes.

11 Q. And is it fair to say that these  
12 checks represent loan repayment to KORE  
13 Consulting?

14 A. Yes.

15 Q. The \$50,000 loan that we talked  
16 about earlier?

17 A. Yes.

18 Q. So -- so -- excuse me.

19 A. Excuse. Let me make this remark.

20 It must be that I paid the loan off  
21 not in 2010, but maybe end of 2011 or a little  
22 bit beyond that.

23 Q. Right. I see, if you look at the  
24 last page, it says January 13, 2012, check.

25 A. Yes.



Page 162

S. Ryu

Q. And if you take a look at the check dated December 29, 2011, it's for 25,000.

A. Yes.

Q. And there's a memo there. It says -- can you tell me what that says?

I see a number of 18,500.

A. Yes.

Q. What is the letter -- that's just a dollar sign?

A. Yes.

Q. And is that indicating the balance of the loan?

A. Yes.

Q. Okay. And the 25,000, is that from the employee loan from BankAsiana?

A. I don't think so. Because if you have research and it said that I borrowed \$25,000 in 2010 --

Q. It was October 2010.

A. Yeah. Then I don't think that's what it was.

This is from my bonus.

Q. Your bonus for 2011 was 25,000?

A. Yes. Something like that. It was

Page 163

S. Ryu

consistently about that much.

(Plaintiff's Exhibit 27, e-mail from Soomi Kim, marked for identification.)

BY MR. YI:

Q. I'm showing you what's been marked as Exhibit 27 to your deposition.

Do you recognize this?

A. Yes.

Q. Is this a copy of an e-mail from Soomi, S-O-O-M-I, last name Kim, K-I-M, to Maureen Hemhauser, with a copy to you and Irene Lee, from July 16, 2013, 3:40 p.m., subject "employee loans list"?

A. Yes.

Q. Okay. And under one, there's an indication of your name, loan number, original loan amount of 25,000, and the then-current balance of 11,755.70.

Do you see that?

A. Yes.

Q. Is that consistent with your recollection?

A. Sure.

Q. Were you aware that Karen Chon also

Page 164

S. Ryu

had an employee loan?

A. Yes.

Q. For the same amount, 25,000?

A. Yes, maximum amount.

(Plaintiff's Exhibit 28, checks issued to SOYU ARCHitecture, marked for identification.)

BY MR. YI:

Q. I'm showing you what's been marked as Exhibit 28 to your deposition.

Do you recognize these documents?

A. Yes.

Q. Are these copies of checks that you signed and issued to SOYU ARCHitecture?

A. Yes.

Q. Do these checks represent your loan repayment to SOYU ARCHitecture?

A. Yes. It must be that he lend me \$18,000.

Q. So the memo on each check is indicating the remaining balance on the right side?

A. Yes.

Q. So the first page of this exhibit,

Page 165

S. Ryu

when it says 16,500, that's the remaining balance of the loan?

A. Yes.

Q. So based on those notations, you now recall that the amount of the loan was 18,000?

A. Yes. I thought it was 15, but...

(Plaintiff's Exhibit 29, letter that was sent to Mr. Ryu's wife from IndyMac Mortgage Services, marked for identification.)

BY MR. YI:

Q. I'm showing you what's been marked as Exhibit 29 to your deposition.

Do you recognize this document?

A. Now that I look at it, yes.

Q. Have you seen this document before?

A. I think so.

Q. Okay. Let's turn to the third page of this exhibit.

A. Yes.

Q. Was this -- I just want to make sure that this third page was an enclosure or attachment to the letter, May 23, 2011, letter from IndyMac Mortgage Services?

1 S. Ryu  
2 A. I don't think so.  
3 Q. They're two separate documents?  
4 A. I would think so. It has to be.  
5 Q. Okay. So let's separate them.  
6 Okay.  
7 Is it fair to say Exhibit 29 is a  
8 copy of a letter that was sent to your wife  
9 from IndyMac Mortgage Services?  
10 A. Yes.  
11 Q. And you remember seeing this letter?  
12 A. I think so.  
13 Q. You remember discussing this with  
14 your wife?  
15 A. No.  
16 Q. And when it says "You have fallen  
17 behind your mortgage payments," are they  
18 referring to the mortgage payments on the New  
19 Jersey house or the property in California?  
20 A. Property in California.  
21 Q. And is it fair to say that IndyMac  
22 Mortgage Services was the loan servicing  
23 company?  
24 A. Yes.  
25 Q. Do you remember -- it says "A

1 S. Ryu  
2 division of OneWest Bank, FSB, Federal Savings  
3 Bank," I believe.  
4 And is it fair to say that as of  
5 May 2011 -- well, withdrawn.  
6 Why was this letter sent to your  
7 wife, not you?  
8 A. Because the house is -- was under  
9 her name only.  
10 Q. I see.  
11 And the mortgage loan was also in  
12 her name only?  
13 A. Yes.  
14 (Plaintiff's Exhibit 30, home equity  
15 line of credit statement issued by  
16 Citibank, marked for identification.)  
17 BY MR. YI:  
18 Q. Did you and your wife purchase the  
19 house in California while you were married,  
20 during your marriage?  
21 A. Yes.  
22 Q. Okay. I'm showing you Exhibit 30 to  
23 your deposition.  
24 Do you recognize this exhibit?  
25 A. Now that I look at it, yes.

1 S. Ryu  
2 Q. Is this a copy of home equity line  
3 of credit statement issued by Citibank to -- or  
4 sent by Citibank to your wife?  
5 A. Yes.  
6 Q. And do you recall that there was a  
7 home equity line of credit in addition to the  
8 first mortgage on the California house, that  
9 was a home equity line of credit?  
10 A. Yes.  
11 Q. And do you remember what the  
12 original line of credit amount was?  
13 A. I think it was 12,500, as indicated  
14 in the third box in the middle.  
15 Q. Okay.  
16 (Plaintiff's Exhibit 31, notice  
17 letter from Meridian Foreclosure Service,  
18 marked for identification.)  
19 BY MR. YI:  
20 Q. I'm showing you what's been marked  
21 as Exhibit 31 to your deposition.  
22 Do you recognize this document?  
23 A. Yes.  
24 Q. Is this a copy of a notice letter  
25 from Meridian Foreclosure Service that was sent

1 S. Ryu  
2 to your wife on September 29, 2011?  
3 A. Yes.  
4 Q. And was this essentially a notice of  
5 default and election to foreclose on the deed  
6 of trust which had secured -- which was secured  
7 on the house in California?  
8 A. Yes.  
9 Q. And if you turn to the second page,  
10 it says amount of debt, 576,000.  
11 Is that consistent with your  
12 recollection?  
13 A. Yes.  
14 Q. Okay.  
15 (Plaintiff's Exhibit 32, notice of  
16 trustee sale, marked for identification.)  
17 A. And certainly, the house was  
18 foreclosed forcibly. The laws are a little bit  
19 different in California.  
20 Q. I'm showing you what's been marked  
21 as Exhibit 32 to your deposition.  
22 Do you recognize this document?  
23 A. Yes.  
24 Q. Is this a copy of a notice of  
25 trustee sale that was sent by Meridian

1 S. Ryu  
 2 Foreclosure Service to your wife?  
 3 A. Yes.  
 4 Q. And the date here on the notice is  
 5 December 23, 2011?  
 6 A. Yes.  
 7 Q. And the amount of unpaid balance and  
 8 other charges, total amount is indicated to be  
 9 \$614,735.75.  
 10 Is that consistent with your  
 11 recollection?  
 12 A. Yes.  
 13 (Recess is taken.)  
 14 BY MR. YI:  
 15 Q. We've looked at documents relating  
 16 to the property owned in the name of your wife,  
 17 in Northridge, California, also known as Los  
 18 Angeles, California, and we looked at exhibits  
 19 including the notice of trustee sale, dated  
 20 December 23, 2011.  
 21 Did a trustee sale of that property  
 22 take place?  
 23 A. Yes.  
 24 Q. And did that take place in August of  
 25 2012?

1 S. Ryu  
 2 know who represented her?  
 3 A. I think it was Robert Yu.  
 4 MR. DZARA: Michael, for the record,  
 5 the document request that you sent to us  
 6 only concerned loans to James. You never  
 7 asked for loans for his wife, which I  
 8 probably would have objected to. But we  
 9 didn't produce any documents for that  
 10 basis, any documents related to any loans  
 11 to Mrs. Ryu. Basically, you didn't ask for  
 12 any.  
 13 BY MR. YI:  
 14 Q. Do you know why she filed for  
 15 bankruptcy? And I'm sorry. Withdrawn.  
 16 And do you know when she filed for  
 17 bankruptcy? Was it in 2012?  
 18 A. I think so.  
 19 Q. Was it prior to the trustee sale,  
 20 which I think I told you was August 2012?  
 21 A. On or around then, I believe. But  
 22 as to exact when, I don't know.  
 23 Q. And was the purpose of her  
 24 bankruptcy filing, to your knowledge, was it to  
 25 sort of stop or delay the trustee sale?

1 S. Ryu  
 2 A. I'm not sure exactly when, but if  
 3 that's what you know, that must be true.  
 4 Q. According to our records or review,  
 5 that trustee sale occurred on August 7, 2012.  
 6 A. Sounds right.  
 7 Q. You don't have any reason to believe  
 8 that that's incorrect?  
 9 A. No, no.  
 10 Q. Okay. And prior to that trustee  
 11 sale in August of 2012, do you recall whether  
 12 your wife filed for personal bankruptcy?  
 13 A. Yes.  
 14 Q. And do you recall when she filed --  
 15 and was that Chapter 13?  
 16 A. I'm not sure what chapter, but...  
 17 Q. It was a personal bankruptcy filing?  
 18 A. Yeah.  
 19 Q. In her name only?  
 20 A. Yes.  
 21 Q. And did she make that filing through  
 22 her counsel with a U.S. Bankruptcy Court for  
 23 the District of New Jersey?  
 24 A. I think so.  
 25 Q. And was she represented -- do you

1 S. Ryu  
 2 A. Perhaps. I don't recall exactly.  
 3 Q. Were you communicating with Robert  
 4 Yu in connection with the trustee sale that was  
 5 scheduled and your wife's personal bankruptcy  
 6 filing?  
 7 A. I think so.  
 8 Q. And based on those -- and you don't  
 9 have to tell me what you discussed with him --  
 10 but based on your discussions with your wife  
 11 and with Robert Yu, was it your understanding  
 12 that she had filed for personal bankruptcy in  
 13 order to either stop or delay the trustee sale?  
 14 A. I am not sure.  
 15 Q. Okay. And you didn't join in that  
 16 personal bankruptcy filing in 2012 because the  
 17 property that was being foreclosed on in  
 18 California was only in her name and not your  
 19 name -- you were not on that deed --  
 20 A. No.  
 21 Q. -- deed of trust?  
 22 A. No.  
 23 Q. That was the reason?  
 24 A. I don't know if that was the reason,  
 25 but maybe -- not certain. But it was an

1 S. Ryu  
2 option, I believe, that the counselor  
3 presented, and you know, I think we took his  
4 advice and...  
5 Q. Why did she -- I'm sorry if we went  
6 over this. I just want to make it clear that I  
7 understand.  
8 What were the reasons as far as, you  
9 know, for her personal bankruptcy filing in  
10 2012?  
11 A. Too much debt.  
12 Q. In her name only?  
13 MR. DZARA: Objection.  
14 A. The house --  
15 MR. DZARA: Sorry. Keep going.  
16 Ignore me.  
17 A. Yeah, the house and whatever the  
18 obligation under her name, I suppose, was the  
19 reason why.  
20 Q. Okay. So she had -- she had  
21 defaulted on the loan payments on the house in  
22 California by 2011.  
23 Did she also have credit card debt?  
24 A. Yes.  
25 Q. Any other types of debts?

1 S. Ryu  
2 to the documents, I just want to go over your  
3 current assets briefly.  
4 The house that you are living in in  
5 New Jersey, you own that house?  
6 A. Yes.  
7 Q. You own it with your wife?  
8 A. No.  
9 Q. Just you?  
10 A. Just me.  
11 Q. Do you own any other real estate or  
12 real properties either by yourself with  
13 somebody else?  
14 A. When you say "real property" --  
15 MR. DZARA: Real estate.  
16 A. No.  
17 Q. Just a house in New Jersey?  
18 A. Just a house in New Jersey.  
19 Q. And the car collections that we  
20 talked about, you mentioned six cars and you  
21 said five you no longer own.  
22 You only now own the van?  
23 A. Yeah. Actually, I own an Audi A8  
24 which is broken, so it's not operating. So  
25 it's a junk.

1 S. Ryu  
2 A. No.  
3 Q. Were you in any way obligated on  
4 those debts of hers?  
5 A. No.  
6 Q. Did you have any -- did you have any  
7 -- did she have any credit cards where you are  
8 also obligated as either a joint account  
9 holder?  
10 A. No.  
11 Q. So when she filed for bankruptcy and  
12 at some point she had to submit a list of all  
13 of the debts or creditors, to the -- as far as  
14 you know, you were not obligated to make any  
15 payments to any of those creditors?  
16 A. No, I don't think so.  
17 Q. And that bankruptcy proceeding, has  
18 that concluded?  
19 A. I'm not sure whether it went through  
20 all the way or not.  
21 Q. Did she get a discharge at the end?  
22 A. I'm not sure.  
23 Q. You don't know?  
24 A. Seriously.  
25 Q. I just want to -- before we go back

1 S. Ryu  
2 Q. And the van was a VW van?  
3 A. Yes.  
4 Q. And what year is that van?  
5 A. 2009.  
6 Q. And the Audi?  
7 A. 2004.  
8 Q. Those are the only two cars you  
9 currently have?  
10 A. No, I do actually have a Bentley,  
11 which I bought in December of 2013.  
12 Q. What model is it?  
13 A. It's Arnage, A-R-N-A-G-E. Year  
14 2000. It was involved in an accident, so it's  
15 now sitting in repair shop for the last two  
16 years.  
17 Q. Don't you have to pay a storage fee?  
18 A. Well, you know, I'm going to have to  
19 eventually fix it, so the owner of the shop is  
20 giving me a break.  
21 Q. Any other cars?  
22 A. Oh. MINI Cooper.  
23 Q. What year?  
24 A. 2007.  
25 Q. What --

1 S. Ryu  
2 A. MINI Cooper.  
3 Q. Okay. And is that operating?  
4 A. Yeah. Yes.  
5 Q. And is that what you're currently  
6 driving?  
7 A. Yes.  
8 Q. Any other cars?  
9 A. No.  
10 Q. Do you have any savings?  
11 A. Savings account, yes, I have.  
12 Q. Do you have any savings money in  
13 that account?  
14 A. Yes.  
15 Q. How much?  
16 A. About \$8,000.  
17 Q. Any other savings?  
18 A. No.  
19 Q. Do you have any retirement savings?  
20 401k?  
21 A. No.  
22 Q. Do you have any other assets  
23 currently?  
24 A. Some musical instrument, but...  
25 Q. Are you currently employed?

1 S. Ryu  
2 legitimate through government agencies and  
3 whatnot, so I guess you can call it an actual  
4 employee of the project, yes.  
5 Q. Employee of the project, not  
6 employee of New Millennium Bank?  
7 A. No.  
8 Q. And do you remember the entity that  
9 actually paid you during that time?  
10 A. It came from an attorney trust  
11 account that was holding the investors' money.  
12 Q. Right.  
13 So, for example, when we looked at  
14 BankAsiana, when Bank Asiana was being formed,  
15 there was an entity called BankAsiana Inc.,  
16 that had money in with Royal Asian Bank.  
17 A. Right.  
18 Q. And that was the entity, I presume,  
19 that covered expenses of forming, founding the  
20 bank, BankAsiana.  
21 Similarly, with New Millennium Bank,  
22 I understand it was an existing bank, but prior  
23 to the actual change in control, was there an  
24 entity that was set up, to your knowledge, that  
25 kind of paid Mr. Hur and paid you and others?

1 S. Ryu  
2 A. No.  
3 Q. When was the last time you were  
4 employed?  
5 A. About two years ago briefly as a  
6 consultant by New Millennium Bank.  
7 Q. So you left Wilshire Bank in  
8 October 2013?  
9 A. Yes.  
10 Q. And so, between October 2013, I'm  
11 sorry, to the present, the only employment or  
12 work you've done is as a consultant to New  
13 Millennium Bank?  
14 A. And prior to this underlying  
15 litigation, there was a period, I think  
16 December 2013 until March 2014, yeah, by New  
17 Millennium Bank Investment Group, I was  
18 employed.  
19 Q. December 2013 to --  
20 A. March of 2014.  
21 Q. Were you an actual employee of the  
22 bank?  
23 A. Well, it wasn't -- the change of  
24 control did not take place. Nevertheless --  
25 actually, you know, the project itself was

1 S. Ryu  
2 A. There was no actual entity. Because  
3 the time consideration of undertaking the  
4 project until finishing -- essentially, when I  
5 was fired in March, the project was complete.  
6 As you can see, it was only four-month duration  
7 in which the project materialized.  
8 So there was no need to create  
9 separate entity to handle the payroll and  
10 whatnot. Therefore, we decided to use attorney  
11 trust account in lieu of forming any type of an  
12 entity.  
13 Q. Okay.  
14 A. It was a matter of practicality.  
15 Q. Okay. During the time period of  
16 2009 to 2014, was your wife working?  
17 A. No.  
18 Q. She was not employed?  
19 A. No.  
20 Q. She didn't have any income?  
21 A. No.  
22 Q. From 2014 -- let's say October 2013,  
23 I'm sorry, to the present, has your wife  
24 worked?  
25 A. No.



Page 182

1 S. Ryu  
2 Q. No employment?  
3 A. No.  
4 Q. No income?  
5 A. Nope.  
6 Q. From October 2014 to the present,  
7 other than the income from New Millennium Bank,  
8 prior to the change in control and about three  
9 years ago when you worked as a consultant,  
10 other than income from that, did you have any  
11 other income from anywhere?  
12 A. Well, I had income from doing a  
13 little slight translation work earlier this  
14 year that made, I don't know, \$500.  
15 Q. Any other income?  
16 A. No.  
17 Q. No other sources of income?  
18 A. Oh, loans from my father.  
19 MR. DZARA: Income is different than  
20 loans.  
21 Do you want source of money or just  
22 -- you're talking about jobs?  
23 MR. YI: I'm talking about income.  
24 MR. DZARA: From jobs.  
25 A. No.

Page 184

1 S. Ryu  
2 A. I'm not sure whether it was 30,000.  
3 I think it was 30,000.  
4 Q. Okay. And then -- oh, I'm sorry.  
5 There was an \$18,000 from SOYU  
6 ARCHitecture?  
7 A. Right.  
8 Q. Were there any other loans that you  
9 took?  
10 MR. DZARA: During what time period?  
11 BY MR. YI:  
12 Q. Let's say from 2009 to the present.  
13 A. Oh, to present. There's loan from  
14 my father and my brother.  
15 Q. Okay. First, let's talk about loans  
16 from your father.  
17 How many loans?  
18 A. In total, he let me borrow \$50,000.  
19 Q. So he's made a number of personal  
20 loans to you and they total 50,000?  
21 A. Yes.  
22 Q. And your brother -- by the way, what  
23 is your father's name?  
24 A. Spelling, H-O-S-A-N-G.  
25 Q. Okay. And your brother?

Page 183

1 S. Ryu  
2 Q. No other source of income?  
3 A. No.  
4 Q. So let's talk about loans.  
5 I want to make sure that I have it  
6 all.  
7 So there's \$50,000 loan that you  
8 took from Mike -- KORE Consulting.  
9 And is it correct, now that we've  
10 look at the copies of the checks, the loan  
11 repayment checks, it looked like you were  
12 making the payments to KORE Consulting.  
13 So based on those checks, is it fair  
14 to say that the loan was made by KORE  
15 Consulting?  
16 A. Yes.  
17 Q. 50,000 from them.  
18 Then employee loan of 25,000.  
19 Then you had personal loans from  
20 Mr. Hur and Ms. Park, I believe. Ms. Park gave  
21 you approximately 3,000. Mr. Hur gave you  
22 approximately 3,500.  
23 Were there any other loans?  
24 A. Forgot the 401k loan.  
25 Q. 401k loan, what was the amount?

Page 185

1 S. Ryu  
2 A. Alan.  
3 Q. A-L-A-N?  
4 A. Mh-hm.  
5 Q. Does he have a middle initial or  
6 middle name?  
7 A. I think he just goes by Alan.  
8 Q. Alan, okay.  
9 And did your brother also make a  
10 number of personal loans to you?  
11 A. Right. Maybe about 2,200 -- I mean,  
12 22,000.  
13 Q. And what is the approximate time  
14 period of these loans?  
15 A. From 2016 to today.  
16 Q. In the past two or three years?  
17 A. 2016 till today. So -- yeah.  
18 Q. So over the course of 2016, 2,017,  
19 2018?  
20 A. Yes.  
21 Q. So approximately past three years?  
22 A. Two and a half or, you know, or more  
23 than.  
24 Q. Any other loans?  
25 A. Actually, my wife's friend lend

1 S. Ryu  
2 \$3,000. And that was in end of 2016. And  
3 Chanlai Park, who, you know, that lend me years  
4 ago, just gave me a thousand dollars.  
5 Q. That's not a loan. That's just a  
6 gift?  
7 A. I don't know. She said, "Go ahead  
8 and use it. Repay that whatever you can."  
9 So I guess you call it a loan. But  
10 that was in, like, maybe January of 2017.  
11 Q. Any other loans or gifts?  
12 A. Nope.  
13 Q. So for the time period of 2009 to  
14 the present, have we covered all the loans that  
15 you've taken between that time period?  
16 A. Yes.  
17 Q. What about your wife, we covered all  
18 the loans your wife received?  
19 A. Yes.  
20 Q. How is your -- is it your daughter  
21 who goes to NYU?  
22 A. Yes.  
23 Q. How is she paying for --  
24 A. Grants and loans.  
25 Q. Grants and loans.

1 S. Ryu  
2 a student loan in a few thousand, in tune. But  
3 other than that, no.  
4 Q. Okay. Let's go back to the  
5 documents for a while and then I'll come back.  
6 (Plaintiff's Exhibit 33, document,  
7 marked for identification.)  
8 BY MR. YI:  
9 Q. I'm showing you what's been marked  
10 as Exhibit 33 to your deposition.  
11 Do you recognize this document?  
12 A. Not sure. But, you know, when I  
13 look at it now, yeah, I recognize it.  
14 Q. Okay. So we talked earlier by your  
15 wife's personal bankruptcy filing in 2012. And  
16 you mentioned that in addition to the, I guess,  
17 the outstanding obligations on the mortgage  
18 loan on the property in California, she had  
19 other debts.  
20 And I believe I asked you whether  
21 other debts included credit card debts.  
22 A. Yes.  
23 Q. And it appears from this exhibit,  
24 and I'll represent to you that this is a copy  
25 of a summons and what appears to be a complaint

1 S. Ryu  
2 Are you or your wife financially  
3 helping your daughter in any way?  
4 A. No. I mean, we signed for a Parents  
5 PLUS loan or something, which our credit is --  
6 the scoring is so low, my father had to cosign.  
7 Q. I'm sorry. What is called?  
8 A. I think it's called Parents PLUS  
9 loan.  
10 Q. Parents PLUS loan.  
11 A. I think. I could wrong.  
12 Q. What was the amount of the loan?  
13 A. I think it was 30,000.  
14 Q. Who's obligated to repay that loan?  
15 A. I am.  
16 Q. You? Your wife?  
17 A. Yeah.  
18 Q. Your father, as the co-guarantor?  
19 A. Sure, sure.  
20 Q. And your daughter?  
21 A. I don't know. Probably.  
22 Q. Any other loans taken out by your  
23 daughter or in connection with her tuition at  
24 NYU?  
25 A. I think she might -- there might be

1 S. Ryu  
2 that was filed against your wife by Citibank  
3 NA. And it looks like it's dated January 2012.  
4 And according to the complaint, she  
5 owed Citibank over \$8,000 in credit card debt.  
6 Do you remember that?  
7 A. I don't remember it, but I know it  
8 now, as I look at it.  
9 Q. Okay. And do you know what happened  
10 to this case?  
11 A. I have no idea.  
12 Q. Okay. And I believe you said that  
13 you don't know whether she ultimately received  
14 a bankruptcy discharge at the conclusion of  
15 that proceeding?  
16 A. I do not know.  
17 (Plaintiff's Exhibit 34, adjustable  
18 rate note, marked for identification.)  
19 BY MR. YI:  
20 Q. I'm showing you what's been marked  
21 as Exhibit 34 to your deposition.  
22 Do you recognize this document?  
23 A. As I look at it.  
24 Q. Is this a copy of the adjustable  
25 rate note that you executed in connection with

1 S. Ryu  
2 either the purchase or refinancing of your  
3 house in River Vale, New Jersey?  
4 A. Yes.  
5 (Plaintiff's Exhibit 35, foreclosure  
6 complaint, marked for identification.)  
7 BY MR. YI:  
8 Q. I'm showing you what's been marked  
9 as Exhibit 35 to your deposition.  
10 Do you recognize this document?  
11 A. Yes.  
12 Q. Is this a copy of the foreclosure  
13 complaint that was filed against you by U.S.  
14 Bank National Association as trustee for Bank  
15 of America Funding Corporation, Mortgage Past  
16 Due Certificates, Series 2006-J?  
17 A. Yes.  
18 (Plaintiff's Exhibit 36, Answer and  
19 Affirmative Defenses to Plaintiff's  
20 Complaint and Cross-Claim, marked for  
21 identification.)  
22 BY MR. YI:  
23 Q. I'm showing you what's been marked  
24 as Exhibit 36 to your deposition.  
25 Do you recognize this document?

1 S. Ryu  
2 have entered into a loan modification agreement  
3 with the plaintiff in the mortgage foreclosure  
4 action, your mortgage lender; is that correct?  
5 A. I think so. I'm not sure as to when  
6 exactly.  
7 Q. Okay. Is it fair to say that it was  
8 sometime in 2015?  
9 A. I would think so, yes.  
10 MR. DZARA: It wasn't. But --  
11 THE WITNESS: It wasn't?  
12 MR. DZARA: No.  
13 BY MR. YI:  
14 Q. Okay. Did there come a time  
15 following this e-mail of November 23, 2015,  
16 that your mortgage loan was reinstated pursuant  
17 to a loan modification agreement?  
18 A. Yes.  
19 (Plaintiff's Exhibit 38, Home  
20 Affordable Modification Agreement, dated  
21 January 30, 2017, marked for  
22 identification.)  
23 BY MR. YI:  
24 Q. I'm showing you what's been marked  
25 as Exhibit 38 to your deposition.

1 S. Ryu  
2 A. Yes.  
3 Q. Is this a copy of your Answer and  
4 Affirmative Defenses to Plaintiff's Complaint  
5 and Cross-Claim that was filed in the mortgage  
6 foreclosure action relating to your house in  
7 New Jersey?  
8 A. I believe so.  
9 (Plaintiff's Exhibit 37, e-mail and  
10 an attached document or letter, marked for  
11 identification.)  
12 BY MR. YI:  
13 Q. Just going back to the last exhibit,  
14 did you review that document before it was  
15 filed?  
16 A. I think so.  
17 Q. Okay. I'm showing you what's been  
18 marked as Exhibit 37 to your deposition.  
19 Do you recognize this document?  
20 And I'll represent to you that this  
21 document consists of an e-mail and an attached  
22 document or letter.  
23 A. Yeah, I recognize it.  
24 Q. And it appears, based on this  
25 exhibit, that in or about 2015 you have may

1 S. Ryu  
2 Do you recognize this document?  
3 A. Yes.  
4 Q. Is this a recorded copy of a  
5 document called "Home Affordable Modification  
6 Agreement," dated January 30, 2017, which you  
7 executed?  
8 A. Yes.  
9 Q. And is it fair to say that pursuant  
10 to this agreement, your mortgage loan on your  
11 house in New Jersey was reinstated?  
12 A. Yes.  
13 MR. DZARA: Objection. "Reinstated"  
14 is the wrong term.  
15 BY MR. YI:  
16 Q. Let me try to see if I can clear the  
17 record.  
18 So is it fair to say that in  
19 connection with this Home Affordable  
20 Modification Agreement, at some point your loan  
21 was reinstated and the terms of your mortgage  
22 loan were modified?  
23 A. Yes.  
24 (Plaintiff's Exhibit 39, document  
25 related to Mr. Cooper, marked for

Page 194

1 S. Ryu  
 2 identification.)  
 3 BY MR. YI:  
 4 Q. I'm showing you what's been marked  
 5 as Exhibit 39 to your deposition.  
 6 Do you recognize this document?  
 7 A. Yes.  
 8 Q. Earlier you mentioned a company  
 9 called Mr. Cooper.  
 10 A. Yes.  
 11 Q. And that you -- I believe you said,  
 12 and correct me if I'm wrong -- I believe you  
 13 said that you had received a notice from a  
 14 company called Mr. Cooper, indicating that  
 15 there was going to be a foreclosure of your  
 16 house in New Jersey?  
 17 A. Yeah, there was a complaint filed by  
 18 Mr. Cooper.  
 19 Q. And is it your understanding that  
 20 Mr. Cooper is the loan servicer?  
 21 A. I think so.  
 22 Q. And I believe you said that a  
 23 complaint, foreclosure complaint was filed by  
 24 either Mr. Cooper or the lender, and that you  
 25 are having your attorneys prepare an answer or

Page 195

1 S. Ryu  
 2 response to that complaint?  
 3 A. Yes.  
 4 Q. And that's the current status?  
 5 A. Yes.  
 6 Q. And do you know what the outstanding  
 7 loan amount is?  
 8 A. It's 550,000 all together.  
 9 Q. Approximately?  
 10 A. Yes.  
 11 Q. And do you know -- do you happen to  
 12 know what the approximate reinstatement amount  
 13 is? How much would you have to pay the lender  
 14 to get the loan reinstated?  
 15 A. Maybe 23,000.  
 16 (Plaintiff's Exhibit 40, bank  
 17 statement from New Millennium Bank, marked  
 18 for identification.)  
 19 BY MR. YI:  
 20 Q. Are you planning to reinstate the  
 21 mortgage loan?  
 22 A. I hope so.  
 23 Q. I'm showing you what's been marked  
 24 as Exhibit 40 to your deposition.  
 25 Do you recognize this document?

Page 196

1 S. Ryu  
 2 A. Yes.  
 3 Q. Is this a copy of the bank statement  
 4 that you received from New Millennium Bank for  
 5 the period indicated here?  
 6 This says July 15, 2016.  
 7 A. Yes.  
 8 Q. And that's your account number --  
 9 it's a joint account held by you and your wife?  
 10 A. Yes.  
 11 Q. And account number ending 0455?  
 12 A. Yes.  
 13 Q. And when we talked earlier about  
 14 your joint account at New Millennium Bank,  
 15 that's the account?  
 16 A. Yes.  
 17 (Plaintiff's Exhibit 41, check dated  
 18 November 23, 2016, paid to Nationstar,  
 19 marked for identification.)  
 20 BY MR. YI:  
 21 Q. I'm showing you what's been marked  
 22 as Exhibit 41 to your deposition.  
 23 Do you recognize this?  
 24 A. Yes.  
 25 Q. I'd like to bring your attention to

Page 197

1 S. Ryu  
 2 the copy of the front of the check on the  
 3 bottom.  
 4 Do you see a copy of the check dated  
 5 November 23, 2016, paid to Nationstar?  
 6 A. Yes.  
 7 Q. And it has a loan number on the  
 8 memo.  
 9 A. Yes.  
 10 Q. And the amount is \$2,802.92?  
 11 A. Yes.  
 12 Q. Do you know -- can you tell us what  
 13 that is?  
 14 A. It's a mortgage payment.  
 15 Q. So is that your -- that the lender,  
 16 the mortgagee lender for your house in New  
 17 Jersey?  
 18 A. Yes.  
 19 MR. DZARA: It's the servicer.  
 20 BY MR. YI:  
 21 Q. It's the servicer?  
 22 A. Yes.  
 23 Q. But it's your -- it's the mortgage  
 24 payment, monthly mortgage payment for your  
 25 house in New Jersey?

Page 198

1 S. Ryu  
 2 MR. DZARA: The modified mortgage.  
 3 A. Yes.  
 4 Q. Do you remember when you -- when the  
 5 default began, the payment default began?  
 6 A. Must have been sometime in 2015.  
 7 I'm not sure exactly.  
 8 Q. Well, we just looked at a copy of a  
 9 check that was dated November 23, 2016.  
 10 A. Right.  
 11 Q. The monthly mortgage payment as  
 12 modified.  
 13 MR. DZARA: I believe that was  
 14 modify --  
 15 MR. YI: It was prior to the  
 16 modification.  
 17 MR. DZARA: They were trial payments  
 18 he was required to make before they agreed  
 19 to modification.  
 20 MR. YI: I see.  
 21 MR. DZARA: It was a trial. He made  
 22 multiple trial payments that are reflected  
 23 in the checks from his account.  
 24 BY MR. YI:  
 25 Q. We talked earlier about the fact

Page 199

1 S. Ryu  
 2 that the lender has commenced foreclosure,  
 3 filed a complaint, and your attorney is in the  
 4 processing of a preparing an answer or a  
 5 response to that complaint.  
 6 When did the payment default begin,  
 7 to the best of your recollection?  
 8 A. Right. December of 2017.  
 9 Q. Was there any particular event in or  
 10 about December 2017 that caused you to --  
 11 A. Yes. I could not any longer pay the  
 12 mortgages and creditors and to live.  
 13 Q. And prior to that, were you using  
 14 loans from your father and brother to make  
 15 those mortgage payments?  
 16 A. Yes.  
 17 (Plaintiff's Exhibit 42, e-mail and  
 18 check, marked for identification.)  
 19 BY MR. YI:  
 20 Q. I'm showing you what's been marked  
 21 as Exhibit 42 to your deposition.  
 22 Before I ask you questions, I'm  
 23 going to go off the record for -- just briefly.  
 24 (Discussion held off the record.)  
 25 BY MR. YI:

Page 200

1 S. Ryu  
 2 Q. Sir, is this a copy of -- well, have  
 3 you seen this document before?  
 4 A. I don't know --  
 5 Q. Let me withdraw.  
 6 Have you seen -- this exhibit  
 7 consists of two documents. There's an e-mail  
 8 on the first page and there's a copy of a check  
 9 on the second page.  
 10 Have you seen either document?  
 11 A. I've seen the check.  
 12 Q. Can you tell us what that is?  
 13 A. That's for the consulting work that  
 14 I did for New Millennium Bank back in 2016.  
 15 Q. Okay. And is it fair to say that  
 16 that was a 1099 payment?  
 17 A. Yes.  
 18 Q. And do you know what I mean when I  
 19 say 1099?  
 20 A. Yes.  
 21 Q. It wasn't a W-2 payment?  
 22 A. No.  
 23 Q. Do you see in the e-mail, Rachel  
 24 Gallegos (phonetic) indicates that it was your  
 25 first paycheck from New Millennium Bank.

Page 201

1 S. Ryu  
 2 It wasn't a -- it wasn't your first  
 3 paycheck at New Millennium Bank, correct?  
 4 A. You mean, paycheck as -- are you  
 5 referring to W-2 versus 1099?  
 6 Q. My understanding is when you say  
 7 "paycheck," you're talking about a W-2 payroll  
 8 check that an employee receives.  
 9 I'm just trying to clarify that this  
 10 is not a paycheck that you received from New  
 11 Millennium Bank. You were not an employee of  
 12 New Millennium Bank --  
 13 A. No.  
 14 Q. -- you were working as a consultant.  
 15 You were being paid for your  
 16 consulting services?  
 17 A. Yes.  
 18 MR. DZARA: Off the record.  
 19 (Discussion held off the record.)  
 20 BY MR. YI:  
 21 Q. The reason why I ask you that is  
 22 because I'm just trying to make sure that you  
 23 were never at any time an employee of New  
 24 Millennium Bank. We talked about the fact that  
 25 you rendered services as a consultant in 2016.



Page 202

1 S. Ryu  
 2 You were paid for those services on  
 3 a 1099 basis, I believe.  
 4 And then prior to the change and  
 5 control taking place, you were being paid by  
 6 the law firm representing the group of  
 7 individuals that was planning to take over  
 8 control of the New Millennium Bank.  
 9 A. Yes.  
 10 Q. I'll just quickly go through this  
 11 one, too.  
 12 (Plaintiff's Exhibit 43, copy of a  
 13 check dated July 21, 2016, marked for  
 14 identification.)  
 15 BY MR. YI:  
 16 Q. I'm showing you what's been marked  
 17 as Exhibit 43 to your deposition. And I'll  
 18 just ask you to turn to the page that's showing  
 19 a copy of the check.  
 20 A. Yes.  
 21 Q. Or checks.  
 22 Let's see, there's one -- so if you  
 23 look at the last page, there appears to be a  
 24 copy of a check dated July 21, 2016. It's  
 25 payable to you from New Millennium Bank for

Page 203

1 S. Ryu  
 2 \$5,000?  
 3 A. Yes.  
 4 Q. You've seen that document?  
 5 A. Yes.  
 6 Q. And that's a copy of the check you  
 7 received from New Millennium Bank that was  
 8 payment for your services as a consultant to  
 9 the bank?  
 10 A. Yes.  
 11 Q. In 2016?  
 12 A. Yes.  
 13 Q. And then if you turn to the  
 14 second-to-last page, there's a copy of another  
 15 check, this one dated August 4, 2016, also in  
 16 the amount of 5,000.  
 17 And that was also -- this is a copy  
 18 of a check issued by New Millennium Bank to you  
 19 for consulting services?  
 20 A. Yes.  
 21 Q. So the 10,000 we saw before, it  
 22 looks like there's two checks each for 5,000.  
 23 That totals 20,000.  
 24 Is that consistent with your  
 25 recollection?

Page 204

1 S. Ryu  
 2 A. Yes.  
 3 Q. By the way, those six cars that we  
 4 talked about earlier today, did you have any  
 5 loans on those cars?  
 6 A. I had loan for VW.  
 7 Q. The van?  
 8 A. Yeah. And I had loan for Audi A8,  
 9 but they're all paid off.  
 10 Q. Let me see if I can make it easier  
 11 this way.  
 12 During the time period of 2009 to  
 13 October 2013, were you making any car  
 14 payments --  
 15 A. Yes.  
 16 Q. -- on any of the six cars?  
 17 A. Yes.  
 18 Q. Which ones?  
 19 A. VW and Audi.  
 20 Q. And do you remember approximately  
 21 what the payments were?  
 22 Were you paying them on a monthly  
 23 basis?  
 24 A. Yes. About \$500 each.  
 25 Q. Okay. Do you currently have any car

Page 205

1 S. Ryu  
 2 loans --  
 3 A. No.  
 4 Q. -- on the two cars?  
 5 A. No. Three cars.  
 6 Q. Oh, three cars. Sorry.  
 7 A. No, actually --  
 8 Q. MINI Cooper, Bentley, and the VW  
 9 van?  
 10 A. Right. Because Audi is not  
 11 operational, so no. No loans.  
 12 (Plaintiff's Exhibit 44, certificate  
 13 of title to MINI Cooper and the second page  
 14 is certificate of title to 2000 Bentley,  
 15 marked for identification.)  
 16 BY MR. YI:  
 17 Q. I'm showing you what's been marked  
 18 as Exhibit 44 to your deposition.  
 19 Do you recognize these documents?  
 20 A. Yes.  
 21 Q. So the first page is certificate of  
 22 title to your MINI Cooper?  
 23 A. Yes.  
 24 Q. And second page is certificate of  
 25 title to your 2000 Bentley?

S. Ryu

A. Yes.

Q. And the third page is a certificate of title -- these are copies of certificate of title to your 2009 Volkswagen van?

A. Yes.

Q. And the fourth page is a copy of the certificate of title for your Audi A8 L 2004?

A. Yes.

Q. That's the one you said is inoperable?

A. Right.

Q. And you currently do not have any loans on any of them?

A. No.

(Plaintiff's Exhibit 45, TD Bank statements, marked for identification.)

BY MR. YI:

Q. I'm just going to try to go through without a break, try to go through these documents. If you need a break, just let me know and we'll take a short break.

Sir, I'm showing you what's been marked as Exhibit 45 to your deposition.

Do you recognize this exhibit or

S. Ryu

these documents?

A. Yes.

Q. Are these copies of your TD Bank statements for the statement period indicated in the exhibit, which appears to be January 14, 2017, to February 13, 2017?

A. Yes.

Q. And also November 14, 2017, to November 24, 2017?

A. Yes.

Q. Also October 1, 2016, to December 31, 2016?

A. Yes.

Q. And I represent to you that these are documents that were produced by you through your attorneys.

I'm going to direct your attention, sir, to the first page of this exhibit. If you go down towards the bottom there is a wire transfer incoming, Lotus WNY Inc.

Do you see that?

A. Yes.

Q. In the amount of 24,500?

A. Yes.

S. Ryu

Q. Do you know what that was?

A. Sale of my car.

Q. Which car?

A. Lotus Esprit, which I explained --

Q. I see.

A. -- to you before.

Q. So we talked earlier about your account at TD Bank, and you said it was in your name only.

This exhibit reflects that account?

A. Yes.

Q. Let's see, the account number ending 1646?

A. Yes.

(Plaintiff's Exhibit 46, three promissory notes, marked for identification.)

MR. DZARA: Off the record.

(Discussion held off the record.)

BY MR. YI:

Q. Why don't we clarify that.

Earlier, we talked about sources of income for you, and we talked about your wife, we talked about you. And you indicated that

S. Ryu

there were no sources of income other than payments from New Millennium Bank.

We then talked about the loans from your father, your brother, and we'll get into the loans from your father.

MR. DZARA: He also said he made, I think, 500-something from translation services, something.

A. Yeah.

Q. Right.

Aside from that, have you had any monies that you have received from any disposition of assets or otherwise?

A. On two occasions. I had to sell my car Lotus back in January, February 2017. As you saw a wire coming in. And I think it was November of 2016, I sold a motorcycle which was never registered or anything. It was kind of an antique thing, for, I think, 13,000. And that's pretty much it.

Q. Who did you sell the motorcycle to?

A. I forget the guy's name.

Q. Not someone you knew?

A. No.

Page 210

1 S. Ryu  
2 Q. And who did you sell the Lotus to?  
3 A. Lotus whatever it --  
4 Q. WNY Inc.?  
5 A. Yes.  
6 Q. Is that a, like, an auto dealer?  
7 A. I am not sure. I thought I would  
8 sell it to a person, but it was -- the wire  
9 came from, you know.  
10 Q. Not someone you knew?  
11 A. No.  
12 Q. Okay. Have we covered everything  
13 now?  
14 A. I think so -- no, there's more?  
15 MR. DZARA: Off the record.  
16 (Discussion held off the record.)  
17 A. There was a McIntosh amp and  
18 preamplifier, which combined I sold for about  
19 \$3,000.  
20 Q. Anything else?  
21 A. I don't think so.  
22 Q. Okay. I'm showing you what's been  
23 marked as Exhibit 46 to your deposition.  
24 Have you seen these documents  
25 before?

Page 211

1 S. Ryu  
2 A. Yes.  
3 Q. Are these copies of three promissory  
4 notes that you executed in favor of your  
5 father?  
6 A. Yes.  
7 Q. And the first one was a promissory  
8 note for 30,000, the second one for 10,000, and  
9 the third one for 10,000?  
10 A. Yes.  
11 Q. Totaling 50,000?  
12 A. Yes.  
13 Q. And those were the loans that we  
14 were talking about earlier?  
15 A. Yes.  
16 (Plaintiff's Exhibit 47, check for  
17 20,000, marked for identification.)  
18 BY MR. YI:  
19 Q. I'm showing you what's been marked  
20 as Exhibit 47 to your deposition.  
21 Do you recognize these documents?  
22 A. Yes.  
23 Q. So let's take one at a time.  
24 The first page, Alan Ryu (phonetic),  
25 is that your brother?

Page 212

1 S. Ryu  
2 A. Yes.  
3 Q. And I see a copy of a check for  
4 20,000. Is that a \$20,000 loan from your  
5 brother to you?  
6 A. Yes.  
7 Q. And the check is dated December 8,  
8 2016?  
9 A. Yes.  
10 Q. So is it fair to say that the first  
11 page of this exhibit reflects your brother's  
12 \$20,000 personal loan to you --  
13 A. Yes.  
14 Q. -- made December 2016?  
15 A. Yes.  
16 Q. And the second page, there's a copy  
17 of the check. This time it's -- the first  
18 check that we looked at on the first page looks  
19 like his account with Hanmi Bank, correct?  
20 A. Yes.  
21 Q. And the second page looks like your  
22 brother has a joint account with his -- is that  
23 his wife?  
24 A. Yes.  
25 Q. And it's a check in the amount of

Page 213

1 S. Ryu  
2 \$820. That was also a personal loan from your  
3 brother to you?  
4 A. Yes. As I indicated before, the  
5 total that he lent me, I said, was about  
6 22,000, which reflects all of these.  
7 Q. And the third page also appears to  
8 be a copy of a Bank of America account check  
9 from your brother to you for \$1,550.  
10 That's also a loan--  
11 A. Yes.  
12 Q. -- made by your brother to you?  
13 A. Yes.  
14 Q. Those are the three amounts?  
15 A. Yes.  
16 (Plaintiff's Exhibit 48, advancement  
17 of salary agreement, marked for  
18 identification.)  
19 BY MR. YI:  
20 Q. I'm showing you what's been marked  
21 as Exhibit 48 to your deposition.  
22 Do you recognize this document?  
23 A. Yes.  
24 Q. Can you tell us what this is?  
25 A. At the time of Frank Gleeson

1 S. Ryu  
2 obtaining approval to join as CFO for  
3 BankAsiana, he owed some financial institutions  
4 money that he did not have. He asked the  
5 BankAsiana organization if we could borrow some  
6 money to take care of that so that he could be  
7 approved. And this was advancement of salary  
8 agreement, which was drafted 11 years ago.

9 Q. So this document reflects the fact  
10 that Frank Gleeson was given an advance against  
11 his salary in the amount of \$5,354?

12 A. Yes.

13 Q. And was this advance given to him at  
14 the commencement of his employment with either  
15 BankAsiana or BankAsiana in organization?

16 A. Yeah, I think so.

17 Q. Can you tell us what BankAsiana in  
18 organization was? Was it an actual legal  
19 entity, or was it just a name that was being  
20 used?

21 A. It was just a name. In terms of  
22 legality, for example, the -- for the -- use it  
23 for opening bank accounts and stuff like that,  
24 as you saw previously from Royal Asian Bank was  
25 BankAsiana Inc. or something.

1 S. Ryu

2 Q. Right.

3 A. So this is just name that was used.

4 And you know, new banks, the noble banks, when  
5 they're opening prior to their formalized  
6 opening, it is common that, you know, new bank  
7 information be called something "in  
8 organization."

9 Q. So this was at the outset of Frank  
10 Gleeson's employment with BankAsiana or  
11 BankAsiana in organization?

12 A. Yes.

13 Q. It's your testimony that he had  
14 certain debts that he had to take care of?

15 A. He understand that he promised to  
16 pay.

17 Q. Well, the reason why he was asking  
18 for an advance against his salary was because  
19 you testified that he didn't have the money to  
20 pay his debts, so he asked for an advance  
21 against his salary so he can pay off those  
22 debts?

23 A. Correct.

24 Q. And was this approved, this  
25 advancement against his salary, was it approved

1 S. Ryu  
2 by you?

3 A. No. Actually, it was approved by  
4 the board.

5 Q. Okay. And do you remember signing  
6 off on this? It has your signature.

7 A. I think so.

8 Q. I mean, it has your signature line.

9 A. Yeah, I think I signed it off.

10 Q. Okay. Did Frank Gleeson ever ask,  
11 subsequently ask for an advance against his  
12 salary?

13 A. What do you mean?

14 Q. Subsequent to August 2007, during  
15 his tenure with BankAsiana as a CFO, did Frank  
16 Gleeson ever ask you or anybody else at the  
17 bank for an advance against his salary?

18 MR. DZARA: You mean, a second  
19 advance?

20 BY MR. YI:

21 Q. Yeah, a second or subsequent  
22 advances.

23 A. I don't think so. But -- I don't  
24 think so.

25 Q. Did he ever pay this back?

1 S. Ryu

2 A. I am not sure.

3 Q. Do you recall whether you told him  
4 he didn't have to pay it back?

5 A. I'm not really sure.

6 (Plaintiff's Exhibit 49, e-mail to  
7 Frank Gleeson from April 20, 2010, marked  
8 for identification.)

9 BY MR. YI:

10 Q. I'm showing you what's been marked  
11 as Exhibit 49 to your deposition.

12 And I'll represent to you that we  
13 earlier looked at the second page of this  
14 exhibit, and I'm asking you to take a look at  
15 the first page of this exhibit.

16 Is that a copy of your e-mail to  
17 Frank Gleeson from April 20, 2010, 9:55 a.m.,  
18 with the subject "Financial statement for Luz,"  
19 L-U-Z?

20 A. Yes.

21 Q. And at the time that -- is it fair  
22 to say that you sent this to Frank Gleeson --  
23 withdrawn.

24 Who prepared this personal financial  
25 statement?

1 S. Ryu  
 2 And I'm sorry if I asked you  
 3 previously.  
 4 A. I am not sure whether it was me or  
 5 Frank.  
 6 Q. But it would have been either you or  
 7 Frank?  
 8 A. I would think so.  
 9 Q. And I believe you indicated earlier  
 10 that the purpose of this personal financial  
 11 statement, as of March 31, 2010, was to submit  
 12 it to the landlord --  
 13 A. Yes.  
 14 Q. -- for the approval of the lease  
 15 assignment?  
 16 A. Yes.  
 17 MR. DZARA: For Luz, I believe.  
 18 THE WITNESS: Yes.  
 19 BY MR. YI:  
 20 Q. The hair salon?  
 21 A. This was in the e-mail somewhere.  
 22 (Plaintiff's Exhibit 50, e-mail and  
 23 the second page is a document called  
 24 "Seleste LLC Income Statement", marked for  
 25 identification.)

1 S. Ryu  
 2 prepared this Seleste LLC Income Statement and  
 3 was asking you to review it and make any  
 4 changes?  
 5 A. It looks like that way.  
 6 Q. Is that consistent with your  
 7 recollection?  
 8 A. I don't really recall, but it looks  
 9 that way.  
 10 (Plaintiff's Exhibit 51, e-mail,  
 11 marked for identification.)  
 12 BY MR. YI:  
 13 Q. I'm showing you what's been marked  
 14 as Exhibit 51 to your deposition.  
 15 A. Yes.  
 16 Q. Do you recognize these two  
 17 documents?  
 18 And I'll represent to you we already  
 19 went over the second page of this exhibit.  
 20 A. Yes.  
 21 Q. The first page, is that a copy of  
 22 Frank Gleeson's e-mail to you, from October 3,  
 23 2011, 2:45 p.m., with a subject "Seleste"?  
 24 A. Yes.  
 25 Q. And in this e-mail, Frank says,

1 S. Ryu  
 2 BY MR. YI:  
 3 Q. I'm showing you what's been marked  
 4 as Exhibit 50 to your deposition.  
 5 Do you recognize these two  
 6 documents?  
 7 A. Yes.  
 8 Q. First page is the e-mail. The  
 9 second page is a document called "Seleste LLC  
 10 Income Statement."  
 11 A. Yes.  
 12 Q. And I'll represent to you that we  
 13 went over the second page of this exhibit.  
 14 The first page, is that a copy of  
 15 Frank Gleeson's e-mail to you, from October 3,  
 16 2111, 1:03 p.m., subject "Seleste"?  
 17 A. Yes.  
 18 Q. And in this e-mail, Frank says,  
 19 "James, let me know what changes you want to  
 20 make, Frank."  
 21 A. Yes.  
 22 Q. Does that refresh your recollection  
 23 that it was Frank Gleeson who prepared -- well,  
 24 withdrawn.  
 25 Does that indicate to you that Frank

1 S. Ryu  
 2 "Here you go."  
 3 So is it -- does that indicate that  
 4 you asked him to make some changes and he made  
 5 the changes and he sent them back to you?  
 6 A. It looks that way.  
 7 Q. Okay.  
 8 (Plaintiff's Exhibit 52, e-mail  
 9 string, marked for identification.)  
 10 BY MR. YI:  
 11 Q. I'm showing you what's been marked  
 12 as Exhibit 52 to your deposition.  
 13 Do you recognize these e-mails?  
 14 A. Yes.  
 15 Q. So I think we already went over the  
 16 first one, where Frank Gleeson says to you,  
 17 October 3, 2011, "Here you go."  
 18 Then you say, "Thanks, Frank." Same  
 19 day 2:52 p.m.  
 20 Then Frank responds, "Any time. Let  
 21 me know when your ready on the other thing."  
 22 And "you're" is spelled Y-O-U-R.  
 23 What is the other thing that Frank  
 24 was referring to?  
 25 A. I have no idea.



S. Ryu

Q. Did Seleste LLC or the business income statement of the hair salon or the cafe have anything to do with BankAsiana business?

A. No. It only relates that I was in business with these things and I was, you know, one of the chief of the bank.

(Plaintiff's Exhibit 53, e-mail and attachment, marked for identification.)

BY MR. YI:

Q. I'm showing you what's been marked as Exhibit 53 to your deposition.

Do you recognize the e-mail and the attachment?

The attachment we've already gone over.

Do you recognize the e-mail?

A. Yes.

Q. Is that a copy of Frank Gleeson's e-mail to you, from October 5, 2011, 11:49 a.m., with the subject "Seleste"?

A. Yes.

(Plaintiff's Exhibit 54, e-mail and attachment, marked for identification.)

BY MR. YI:

S. Ryu

Q. I'm showing you what's been marked as Exhibit 54 to your deposition.

Do you recognize these two documents, e-mail and attachment?

A. Now, when I look at it, yeah, I do.

Q. The first page of the exhibit, is that a copy of your e-mail to Frank Gleeson, from October 14, 2011, 10:50 a.m., subject "income and expense"?

A. Yes.

Q. And is the second page your list of your personal expenses?

A. Yes.

Q. And to the best of your knowledge, the list of your personal expenses on the second page, was that accurate as of October 2011?

A. It looks pretty accurate.

Q. And is it, to the best of your knowledge, as of October 2011, was that a complete list of your personal expenses?

A. I'm not sure.

Q. It says "mortgage LA." So that's the LA property we discussed earlier.

S. Ryu

"Mortgage NJ," that would be the mortgage payment on your house, monthly mortgage payment on your house in New Jersey?

A. Yes.

Q. And there's "property tax LA," "property NJ," "income tax," "insurance LA."

I presume that's homeowners insurance for the California property?

A. Must be.

Q. "Insurance NJ," and that would be homeowners insurance for your property in New Jersey?

A. Yes.

Q. And it says "home association LA." Is that a home association fee for the property in California?

A. It looks that way.

Q. And then it has "credit card payments, 2,500."

Is that just for you, or is that combined for you and your wife?

A. Credit card payments?

Q. Yes.

A. I'm not sure, depending on when this

S. Ryu

was.

Q. This is October 2011.

A. I'm not sure.

Q. And then it has "automobiles, \$1,020."

A. Yes.

Q. These all appear to be monthly expenses.

Are those car payments?

A. Yes.

Q. Then it says "insurance auto, \$350."

A. Yes.

Q. Is that a combined total amount for the month?

A. It must be.

Q. And as of October 2011, how many cars did you have? Six?

A. Yes.

Q. And then it says "various utilities, \$750."

A. Yes.

Q. And it says "others, lawn and repairs, \$300."

And then below that is "401k loan,

1 S. Ryu  
2 \$549."  
3 And then it says "bank loan, \$452."  
4 What is that referring to?  
5 A. The employee loan.  
6 Q. Okay. So then it has -- on the  
7 income column, it has your payroll, \$9,244.  
8 That's your W-2 income from  
9 BankAsiana?  
10 A. Yes.  
11 Q. "Expense reimbursement" says \$1,080.  
12 Did you have an expense account at  
13 BankAsiana?  
14 A. Yes.  
15 Q. And was it about 1,000 a month?  
16 A. Yes.  
17 Q. Or was it \$1,080?  
18 A. I don't know. On or around.  
19 Q. Approximately 1,000?  
20 A. I think 1,080 probably was the exact  
21 amount.  
22 Q. Okay. And then it says "rent  
23 income."  
24 That's the rental income from the  
25 California property?

1 S. Ryu  
2 Frank Gleeson's e-mail to you, from November 8,  
3 2011, 9:22 a.m., with a subject "planning CO,"  
4 which I believe stands for "planning company"?  
5 A. No, planning committee.  
6 Q. Planning committee, okay. Thank  
7 you.  
8 Turn to the second page of the  
9 exhibit, please. Can you tell us what those  
10 numbers are indicating?  
11 A. This bank's numbers.  
12 Q. Which bank's numbers?  
13 A. BankAsiana. It's his preparation  
14 for BankAsiana business to be sent to planning  
15 committee of the bank. And that's in  
16 thousands, so assets --  
17 Q. Right.  
18 A. -- at that time, you know, actual,  
19 we had in 2011, as of November, or as of  
20 October, we had 179 or 180 million actual in  
21 budget. Our target was 181. Pretty close.  
22 Loans and deposit there and so forth.  
23 And 2012 projection was in 240  
24 million for total assets, loans, and, so...  
25 Q. Thank you.

1 S. Ryu  
2 A. Yeah.  
3 Q. So you had a total income, monthly  
4 income as of October 2011, 13,064,  
5 approximately?  
6 A. Yes.  
7 Q. And you had expenses of \$14,575,  
8 approximately?  
9 A. Yes.  
10 Q. So is it fair to say that, according  
11 to this statement, this income and expense  
12 statement, your expenses exceeded your income?  
13 A. Yes. I think this is one of the  
14 reasons why my wife decided to file bankruptcy  
15 shortly hereafter or sometime thereon.  
16 Q. Okay.  
17 (Plaintiff's Exhibit 55, Frank  
18 Gleeson's e-mail from November 8, 2011,  
19 marked for identification.)  
20 BY MR. YI:  
21 Q. I'm showing you what's been marked  
22 as Exhibit 55 to your deposition.  
23 Do you recognize these documents?  
24 A. Yes.  
25 Q. Okay. First page, is that a copy of

1 S. Ryu  
2 Now, during your tenure at  
3 BankAsiana from April 2006, to October 2013,  
4 you were the bank's chief operating officer and  
5 you were also chief compliance officer and you  
6 were also BSA officer, correct?  
7 A. Yes.  
8 Q. Are you aware of any other bank  
9 employee or officer who has served in all three  
10 of those capacities, other than yourself?  
11 MR. DZARA: Objection to form.  
12 Calls for speculation.  
13 You can answer, if you can.  
14 A. Well, in terms of titles, Frank was  
15 CFO, but he was also IT manager. And he was  
16 also bank's security officer.  
17 Q. If I may, my question is --  
18 A. Yes.  
19 Q. -- do you know anyone else who has  
20 served as --  
21 A. Oh.  
22 Q. -- any bank's COO, chief compliance  
23 officer, and BSA officer?  
24 A. Anyone else who served COO,  
25 compliance officer, and BS officer at

1 S. Ryu  
2 BankAsiana? Is that your question?  
3 Q. At any bank.  
4 A. Oh, at any bank.  
5 Q. Have you come across anyone?  
6 A. Oh, anyone who served under that  
7 many titles and things like that, or those  
8 different titles at other banks?  
9 Q. Let me see if I can rephrase the  
10 question to make it clear to you.  
11 A. Sure.  
12 Q. In your career in banking, have you  
13 come across any individuals who have served as  
14 the bank's chief operating officer, chief  
15 compliance officer, and BSA officer all at the  
16 same time?  
17 A. Perhaps not in those exact title,  
18 but I've seen individuals with multiple  
19 responsibilities and titles.  
20 Q. Okay. As chief compliance officer,  
21 could you just tell us briefly your duties and  
22 responsibilities at BankAsiana.  
23 A. Oversee the laws and regulations  
24 related to banking, for the bank.  
25 Q. So when you say "oversee laws and

1 S. Ryu  
2 regulations," are you referring to sort of  
3 overseeing the bank's compliance with those  
4 laws and regulations?  
5 A. Yes.  
6 Q. Let me see if I can make it easier  
7 for you.  
8 Can you give me, like, the top three  
9 duties and responsibilities? Is that okay?  
10 MR. DZARA: I think he just answered  
11 the question, but you can ask him to be  
12 more specific.  
13 A. Top three.  
14 Q. As chief compliance officer.  
15 A. Okay. Make certain that the bank is  
16 in satisfied standing with federal compliance  
17 examination. Make sure the bank is in  
18 satisfactory standing with Community  
19 Reinvestment Act of 1978. And make certain  
20 that the bank has satisfactory compliance  
21 program in place.  
22 Q. And could you give us a few sort of  
23 the top duties and responsibilities or key  
24 duties and responsibilities of when you served  
25 as chief operating officer of BankAsiana?

1 S. Ryu  
2 A. Well, coordinate the board and  
3 management activities. Prepare board reports  
4 and regulatory -- oversee preparing of  
5 board-related reportings. Oversee the  
6 regulatory reportings of the bank to the  
7 regulatory agencies. Promote successful  
8 operations of the bank, among other things.  
9 Q. Who was responsible for filing --  
10 overseeing the filing of SARS at BankAsiana?  
11 A. Who was responsible for filing of  
12 Suspicious Activity Reports?  
13 Q. Who was responsible for supervising  
14 or overseeing the filing of SARs?  
15 A. Me.  
16 Q. And did that fall under chief  
17 compliance officer?  
18 A. BSA.  
19 Q. BSA.  
20 And was part of the duties and  
21 responsibilities of COO overseeing the  
22 operations of the bank's branches?  
23 A. Operations in terms of money  
24 exchange or accounting, or what do you mean?  
25 There's a specific operations -- you

1 S. Ryu  
2 know, as a COO, I was responsible for -- and,  
3 you know, if that operation, if you want to  
4 address it as the accuracy of numbers or, you  
5 know, safety of lending or money exchange, that  
6 falls into different categories.  
7 Q. Did you, as -- were you given a  
8 daily report from a branch manager as to the  
9 daily activities or business activities of each  
10 branch?  
11 A. No.  
12 Q. Were you given any periodic reports  
13 from branch managers, "Hey, here's how we're  
14 doing"?  
15 A. No.  
16 Q. On a monthly basis? Quarterly  
17 basis? Daily basis?  
18 A. They were not submitting their  
19 performance reporting to me. There was one  
20 thing that was sort of missing. We could have  
21 added that, the periodic proactive submitment  
22 from the branch level to corporate  
23 headquarters, but oftentimes poses hindrance to  
24 the branch people, so I think we opted not to  
25 do that. Rather, we try to figure out the

1 S. Ryu  
2 financial people, like Bo Young Lee and Frank  
3 and Jessica Kim, try to figure themselves out  
4 as to what the numbers are in terms of branch.

5 My chief duty as chief operating  
6 officer was to facilitate elements of banking  
7 operations so that the bank would operate  
8 properly in terms of providing resources,  
9 providing facility, providing individuals,  
10 overseeing people. You know, making salary  
11 recommendation and things like that.

12 Never really -- you know, there's a  
13 difference between -- you know, it used to be a  
14 lot more simple, that when you didn't have, you  
15 know, chief compliance officer, chief  
16 operations officers, and things like that. But  
17 now, they're having chief performance officers  
18 and all of this stuff.

19 So it's lot more segregated and it's  
20 now hard to pinpoint -- or maybe it is easier  
21 to pinpoint. Had we a chief operations officer  
22 related to deposit operations, that person  
23 would be responsible for all of the branch  
24 operations deposit.

25 I believe Bank of Hope and other

1 S. Ryu  
2 larger institutions have that type of functions  
3 nowadays. But as a small bank, my role, as you  
4 asked, as chief operating officer, was not  
5 really looking into the numbers or loans or  
6 deposit activities and things like that. It  
7 was just more so facilitating necessary  
8 categories and items and resources so that it  
9 can operate.

10 Q. But is it fair to say that as the  
11 chief operating officer, that you were  
12 ultimately the chief officer of the bank  
13 overseeing the operations of the bank?

14 A. No.

15 Q. No? Who was --

16 A. That would be CEO.

17 Q. CEO?

18 A. Of course.

19 Q. Okay. What would you say your  
20 duties and responsibilities were as a BSA  
21 officer of BankAsiana?

22 I think you mentioned overseeing the  
23 filing of SARs as being one of those.

24 A. Yes. Let me rephrase that.

25 I never filed any SARs myself or,

1 S. Ryu  
2 you know, whatnot. I am responsible for  
3 someone else filing the SAR and that falls onto  
4 my responsibility ultimately.

5 But I never file SARs. I did sign  
6 SARs because I was bank's designated BSA  
7 officer. But --

8 Q. So before the filing of the SAR, you  
9 would review it and then you would sign it?

10 A. Yeah. I would take a look at it,  
11 definitely.

12 Q. And in addition to reviewing the  
13 SAR, is it fair to say you would speak to the  
14 bank employee who is filing the SAR?

15 A. Briefly, yes.

16 Q. Any other duties and  
17 responsibilities as BSA officer of BankAsiana?

18 A. Reporting to the board, coordinating  
19 state and federal examination related to that  
20 type of scrutiny and examination and whatnot,  
21 you know. Facilitating the board education,  
22 employee education through third parties and  
23 whatnot.

24 And that would include implementing  
25 any punishment if there is any violation

1 S. Ryu  
2 internally, if the laws and regulations are  
3 being violated by employees.

4 Q. Could you just briefly describe the  
5 -- withdrawn.

6 Are you familiar with surprise cash  
7 counts that took place at BankAsiana?

8 A. Yes.

9 Q. And do you know who performed that  
10 duty during your tenure?

11 A. Jessica Kim.

12 Q. And could you just tell us what her  
13 position or title was?

14 A. She was vice president and  
15 operations administrator.

16 Q. And is it fair to say that you were  
17 her direct boss?

18 A. Partly. Not entirely, but mostly,  
19 yes.

20 Q. And is it fair to -- did -- when  
21 Jessica Kim -- withdrawn.

22 Did she conduct surprise cash counts  
23 every day?

24 A. Not every day.

25 Q. From time to time?

Page 238

1 S. Ryu  
2 A. From time to time.  
3 Q. Weekly basis? Monthly basis?  
4 A. Wish it was weekly basis. But my  
5 opinion, she was a little bit on a lazy side  
6 and I think, you know, CEO prompted her quite a  
7 bit more than me to perform surprise cash  
8 checks and whatnot. So I'd say perhaps each  
9 branch got monthly hit on, you know, with the  
10 cash counts.  
11 Q. When Jessica Kim was going to  
12 conduct a surprise cash count, did she tell you  
13 in advance that she was going to conduct such a  
14 cash count?  
15 A. Yes.  
16 Q. Okay. And was that -- is it fair to  
17 say that that was her sort of procedural  
18 practice?  
19 A. Yes.  
20 Q. During your tenure at BankAsiana,  
21 did you ever learn at any time that the  
22 surprise cash counts were being performed not  
23 by Jessica Kim, but by two tellers at the Fort  
24 Lee branch, Karen Chon and one other teller?  
25 A. No.

Page 240

1 S. Ryu  
2 Q. And is it fair to say it was Irene  
3 Lee who then took over also the performance of  
4 the surprise cash counts?  
5 A. Yes.  
6 Q. Now, each branch of BankAsiana had a  
7 daily cash limit, correct?  
8 A. I think so.  
9 Q. And do you recall you approving  
10 increase of a daily cash limit at the Fort Lee  
11 branch from 150,000 to 250,000, during your  
12 tenure at BankAsiana?  
13 A. I'm not sure whether I personally  
14 approved that or not. So answer is, I'm not  
15 sure.  
16 Q. Do you ever recall being asked to  
17 increase the daily cash limit at Fort Lee  
18 branch -- at the Fort Lee branch, from 150,000  
19 to 250,000?  
20 A. No.  
21 Q. Now, we talked earlier about Michael  
22 Kim and KORE Consulting.  
23 During your tenure at the bank, did  
24 any bank employees bring to your attention the  
25 fact that either Michael Kim or his company,

Page 239

1 S. Ryu  
2 Q. You have no recollection of learning  
3 at some point that the cash -- the surprise  
4 cash counts were being performed by Karen Chon  
5 and one other teller at the Fort Lee branch?  
6 A. I really don't think so. I mean, if  
7 they are performing their own cash counts, what  
8 is the surprise and what is the purpose? That  
9 doesn't make any sense to me.  
10 Q. So during the -- your entire tenure  
11 at BankAsiana, as far as you know, the surprise  
12 cash counts were being performed by Jessica  
13 Kim?  
14 A. Yeah, yeah. Or somebody who would  
15 have the function of audit.  
16 Q. Now, Jessica Kim left BankAsiana at  
17 some point?  
18 A. Yes.  
19 Q. You were still at the bank?  
20 A. Yes.  
21 Q. Who took over the duties and  
22 responsibilities of Jessica Kim?  
23 A. Irene.  
24 Q. Irene Lee?  
25 A. Yes.

Page 241

1 S. Ryu  
2 KORE Consulting had issued nonsufficient funds  
3 checks?  
4 Do you know what I mean when I say  
5 nonsufficient funds checks?  
6 A. Yes. I don't know whether it was  
7 intentional for the company or principal to  
8 write a check knowing that there was no money.  
9 I don't know. And it sounds like, when you say  
10 it, when you put it that way -- I forget how  
11 you put it -- but it sounds like it was a --  
12 writing, like, a check that in the account,  
13 there was no money. I'm not sure whether that  
14 was the case. And somehow that was approved or  
15 whatnot.  
16 But I know that -- and Michael Kim  
17 had other businesses, too. I don't know what  
18 exactly. I can't recall. If you have  
19 something, I may be able to recall.  
20 But I know he had over -- overdrawn  
21 his money from his accounts a number of times  
22 and, you know, at times he would call me and  
23 ask me, "Oh, could you call Fort Lee and see,  
24 you know, talk to the manager if he will give  
25 me time until tomorrow and I will make up the



1 S. Ryu  
2 difference?" And whatever.  
3 And I said, "Oh, sure. I'll try."  
4 So I will call, you know, the  
5 manager and tell them this is the case, "Do  
6 whatever you want." Because I can't tell him  
7 what to do. But, you know, I remember that.

8 But as you put it -- can you put  
9 your question once again for me. Let me hear  
10 that exactly.

11 Q. Did you ever -- during your tenure  
12 at BankAsiana, did you ever instruct any bank  
13 employees to honor nonsufficient funds checks  
14 issued by Michael Kim?

15 A. So that term is incorrect at all.

16 Q. Let me --

17 A. The answer is no.

18 Q. All right. Do you have any  
19 recollection of any bank employee contacting  
20 you and telling you that Michael Kim or his  
21 company had issued a check, that there was not  
22 enough funds in that account to cover that  
23 check, and that Michael Kim was asking that the  
24 bank honor the check nonetheless?

25 A. Employee contacting me?

1 S. Ryu

2 Q. Yes.

3 A. Michael -- I remember Michael Kim  
4 contacting me to see, you know, whether the  
5 bank will hold off the -- or honor what you  
6 call a -- what you call -- I forgot the term.  
7 It's a credit, you know.

8 And it's a common banking practice  
9 that the branch managers would give, you know,  
10 their discretionary credit to certain  
11 customers, you know, if they're everyday,  
12 coming in customers that somehow check got  
13 returned or something. It was still honored.  
14 It was like an advance. They call it immediate  
15 advance or something like that.

16 Q. And did Michael Kim ever ask you to  
17 approve what you refer to as an immediate  
18 advance?

19 A. Right. Immediate credit.

20 Q. Immediate credit?

21 A. Approve -- I have no authority to  
22 approve anything, because immediate credit is  
23 credit. I'm not a credit officer, nor was I  
24 the deposit officer.

25 So I would ask -- for example, I

1 S. Ryu  
2 would ask T.K. Suh at Fort Lee branch -- he was  
3 the manager -- "You know, Michael Kim just  
4 asked me to do -- you know, ask you, that  
5 situation is this. You know, go and do  
6 whatever you want."

7 And I don't know what his  
8 relationship, Michael Kim's relationship was  
9 with T.K. But Michael Kim asked me, you know,  
10 sort of ask them. But there is no way that I  
11 could dictate them or, you know, approve these  
12 things. It's not in my realm whatsoever.

13 Q. Okay.

14 A. So the answer is no.

15 Q. Just to clarify, so it's your  
16 testimony that Michael Kim, on certain  
17 occasions, called you and asked you for  
18 immediate credit?

19 A. No.

20 MR. DZARA: Objection.

21 A. He did not ask me. He asked me to  
22 call.

23 Q. He asked you to make a call to  
24 Mr. Suh?

25 A. Make a call to Fort Lee branch, you

1 S. Ryu

2 know, and to see whether they would do that.  
3 That's the only thing I did. So, you know --  
4 so he was an acquaintance of mine and, you  
5 know, he asked me, so I simply called and  
6 asked.

7 Q. And was it on more than one occasion  
8 did he ask?

9 A. Oh, yeah. I think so. I could  
10 recall maybe -- not more than dozen times. But  
11 you know, one and four times.

12 Q. And did they include times when you  
13 had outstanding loan from --

14 A. Yes.

15 Q. -- from Michael Kim's company?

16 A. Yes.

17 Q. Now, we talked about the loans that  
18 you received from Michael Kim's company, KORE  
19 Consulting, 50,000. We talked about SOYU  
20 ARCHitecture loan, 18,000.

21 Do you ever receive a loan from Silk  
22 Road Inc.?

23 A. No.

24 Q. Was Silk Road Inc. Bank Asiana's  
25 marketing vendor during your tenure at the

1 S. Ryu  
2 bank?  
3 A. Yeah, I would say so.  
4 Q. And it's your testimony that you  
5 never received a loan from Silk Road Inc.?  
6 A. No.  
7 Q. Did you ever receive a prior  
8 approval, written approval from either the  
9 BankAsiana's board of directors or the  
10 president and CEO to pursue the two businesses  
11 that we've spent some time talking about, the  
12 cafe and hair salon, while you were employed on  
13 a full-time basis as an officer of BankAsiana?  
14 A. You mean, I obtained a written  
15 approval?  
16 Q. Yeah. Did you receive anything in  
17 writing that said it's okay for you to pursue  
18 or to operate these businesses while you were  
19 working full-time for the bank?  
20 A. First, before I answer that in form  
21 of "yes" or "no," first the bank policies did  
22 not require that the additional activities of  
23 the bank employees be approved by anyone. And  
24 then there are some banks who require that.  
25 And number two, the board of

1 S. Ryu  
2 I'll represent to you that these are e-mails in  
3 which you are either the sender or the  
4 recipient.  
5 But I think that if you could just  
6 refer to them -- so let me try to do it this  
7 way. I'm just going to ask you to take a look  
8 at this right here.  
9 This is 2010 payroll, 121,900.  
10 A. Yes.  
11 Q. Okay. So, sir, for calendar year  
12 2010, was your annual salary at BankAsiana  
13 \$121,900?  
14 A. What year was that again?  
15 Q. 2010.  
16 A. I don't think that's right.  
17 Q. Okay. I'm just going to ask you to  
18 take a look at this. I'm happy to mark it as  
19 an exhibit if I need to, but why don't you take  
20 a look.  
21 MR. DZARA: Off the record.  
22 (Discussion held off the record.)  
23 A. 2010, 125,500. Is that what you're  
24 talking about?  
25 Q. I see. Okay.

1 S. Ryu  
2 directors and the CEO, they were fully aware of  
3 what I was doing. In fact, I told them in  
4 advance my full engagement of those businesses  
5 to the board.  
6 So not only the board members came  
7 to, you know, the cafe -- and I don't know  
8 whether they did to the hair salons, but  
9 certainly, you know, board members came by.  
10 You know, they have coffees and whatnot. So  
11 they were fully aware.  
12 As to the written approval, no,  
13 because there was none required for me to do  
14 so.  
15 Q. Okay.  
16 (Recess is taken.)  
17 BY MR. YI:  
18 Q. Before we go back to the remaining  
19 exhibit documents, I just want to -- I just  
20 want to make sure that I have a clear  
21 understanding of your annual salary when you  
22 were at BankAsiana.  
23 A. Yes.  
24 Q. So I'm happy to mark these. I have  
25 some e-mails that I can mark as exhibits, and

1 S. Ryu  
2 So for calendar year 2009, your  
3 annual salary at Bank Asiana was \$121,900, and  
4 for calendar year 2010, your annual salary was  
5 125,500; is that correct?  
6 A. Yes.  
7 Q. So if you look at 2011 and 2012 --  
8 A. Yes.  
9 Q. -- it looks like it was 129,300.  
10 And then there was no change for the following  
11 year 2012. It remained the same, 129,300.  
12 A. I think this is indicator of -- see,  
13 the -- none of the increase percentage were  
14 applied to this particular sheet, so of course  
15 there is no change.  
16 But there was change in 2012. I  
17 don't know what percentage.  
18 Q. Off the record.  
19 (Discussion held off the record.)  
20 BY MR. YI:  
21 Q. Sir, we just looked at some  
22 documents that were in front of us, and I want  
23 to just make sure that I'm correct.  
24 For calendar year 2011, your annual  
25 salary at BankAsiana was 129,300, correct?

Page 250

1 S. Ryu  
2 A. That sounds right.  
3 Q. Okay. And for calendar year 2012,  
4 your annual salary was \$140,000?  
5 A. Right.  
6 Q. Yes?  
7 A. Yes.  
8 Q. And for calendar year 2011, you  
9 received a bonus of \$14,000?  
10 A. Sounds right.  
11 Q. And for calendar year 2012, you  
12 received a bonus of \$20,000?  
13 A. Sounds right. If it's indicated in  
14 there, then yeah.  
15 MR. DZARA: Can I have a Bates  
16 number of the document you were looking at,  
17 Michael?  
18 MR. YI: We were referring to  
19 documents numbered WB 10229 and WB 10529.  
20 BY MR. YI:  
21 Q. Okay.  
22 MR. YI: Off the record.  
23 (Discussion held off the record.)  
24 BY MR. YI:  
25 Q. Sir, for calendar year 2013, your

Page 251

1 S. Ryu  
2 annual salary at BankAsiana was 160,000?  
3 A. Yes.  
4 Q. And you received a bonus of 20,000?  
5 A. Yes.  
6 Q. Thank you.  
7 MR. YI: And for the record, the  
8 document that we were referring to off the  
9 record was WB 11666.  
10 BY MR. YI:  
11 Q. Are you aware of any small business  
12 loan made by BankAsiana to an entity called  
13 Cleo Riverside?  
14 A. Now you mention it, yes.  
15 Q. Can you tell us what you remember?  
16 A. I just -- I'm aware that that is a  
17 loan which BankAsiana made to that entity,  
18 Cleo, and I know Cleo is somehow related to  
19 Michael Kim.  
20 Q. So did you have anything to do with  
21 the making of this loan, origination of this  
22 loan by BankAsiana to Cleo Riverside?  
23 A. No.  
24 Q. Did you have any discussions with  
25 Michael Kim about this loan?

Page 252

1 S. Ryu  
2 A. Not at all.  
3 Q. Did you have any discussions with  
4 anybody at BankAsiana about this loan?  
5 A. I may have discussed some aspects of  
6 loans somehow. But I'm not a lender. I never  
7 served as a lender, so I was never part of any  
8 approval or recommendation or, you know,  
9 whatnot of any lending activities.  
10 Q. Do you have any recollection of any  
11 internal discussions you had with anybody at  
12 BankAsiana either before the loan was  
13 originated or after?  
14 A. I may have some discussions at  
15 certain point with somebody, but I don't have  
16 any recollections of any particular. Unless  
17 you have something that indicates that then, I  
18 may be able to recognize it.  
19 Q. Did you ever learn that this SBA  
20 loan was a fraudulent loan and that the SBA  
21 declined to provided the guarantee?  
22 A. No.  
23 Q. For the guarantee portion of the  
24 loan, I should say.  
25 A. No.

Page 253

1 S. Ryu  
2 Is it fraud?  
3 MR. DZARA: You can't ask him  
4 questions.  
5 THE WITNESS: Oh, okay.  
6 A. I have no idea.  
7 Q. Do you recall who referred the Cleo  
8 Riverside entity or the principal of that  
9 entity to BankAsiana?  
10 A. I'm not sure. But since Michael Kim  
11 that -- I am aware that he was involved with  
12 the loan, maybe he did.  
13 Q. But you don't know who actually  
14 referred Cleo Riverside to BankAsiana --  
15 A. No.  
16 Q. -- if there was a referral?  
17 A. Right. No.  
18 (Plaintiff's Exhibit 56, e-mail from  
19 Donald Kong, marked for identification.)  
20 BY MR. YI:  
21 Q. I'm showing you what's been marked  
22 as Exhibit 56 to your deposition.  
23 Do you recognize this document?  
24 A. I recognize as I read it, yes.  
25 Q. Is this a copy of an e-mail from

1 S. Ryu  
2 Donald Kong (phonetic), who at the time was an  
3 employee at BankAsiana, to you, from March 10,  
4 2011, 5:37 p.m., Eastern Standard Time?  
5 A. Yes.  
6 Q. Okay. And does this refresh your  
7 recollection as to discussions you may have had  
8 with either Donald Kong or anybody else at the  
9 bank?  
10 A. No.  
11 Q. Okay.  
12 A. It appears to me that he's asking  
13 whether this is a conflict or interest or not.  
14 And I don't recall what I replied to him or,  
15 you know, told him whether it was or not.  
16 Q. Do you have any recollection of your  
17 communication with Mr. Kong following this  
18 e-mail?  
19 A. No.  
20 Q. Do you have any recollection of  
21 telling Mr. Kong that you were concerned to  
22 learn this fact, and that the loan department  
23 of the bank ought not to make the loan?  
24 MR. DZARA: Objection to form.  
25 A. I don't know what happened with this

1 S. Ryu  
2 loan. I don't...  
3 Q. If I may, my question is: Do you  
4 have any recollection of telling Mr. Kong,  
5 "Well, if these facts are correct, then we  
6 should not originate this loan"?  
7 MR. DZARA: Objection to form.  
8 BY MR. YI:  
9 Q. Do you have any recollection of  
10 saying something in substance to that effect?  
11 MR. DZARA: Objection to form.  
12 A. I have no recollection of it.  
13 Q. Do you have any recollection of  
14 speaking to Michael Kim about this --  
15 A. Michael Kim?  
16 Q. -- after you received this e-mail?  
17 A. No.  
18 Q. Let's put it aside for the time  
19 being.  
20 MR. DZARA: Note for the record the  
21 top line says "Cleo Gramercy loan  
22 disbursement and control." I assume that's  
23 the subject line of the e-mail that somehow  
24 got -- that got put up there.  
25 But you were talking about a Cleo

1 S. Ryu  
2 Riverside loan, and this says Cleo Gramercy  
3 loan.  
4 So I guess just note my objection  
5 for the record.  
6 MR. YI: I think we can clarify on  
7 the next exhibit.  
8 (Plaintiff's Exhibit 57, e-mail  
9 string, marked for identification.)  
10 BY MR. YI:  
11 Q. I'm showing you what's been marked  
12 as Exhibit 57 to your deposition.  
13 Have you seen this before?  
14 Do you recognize these e-mails?  
15 A. Now that I see, I recognize it.  
16 Q. At the top, is that a copy of your  
17 e-mail to Michael Kim, from May 13, 2011, 10:55  
18 a.m.?  
19 A. Yes.  
20 Q. And the subject is "Cleo Park  
21 Avenue"?  
22 A. Yes.  
23 Q. And if you look down -- so it  
24 appears that the original e-mail was from  
25 Joseph Kim to Mr. Hur, and then Mr. Hur

1 S. Ryu  
2 forwarded the e-mail to you, and then you in  
3 turn forwarded the e-mail to Michael Kim.  
4 A. Yes.  
5 Q. Okay. And do you see, under Joseph  
6 Kim's e-mail, do you see under "Borrower," Cleo  
7 Riverside; loan type, SBA; loan amount,  
8 \$1,340,000 is the current balance indicated  
9 with the date maturity, and you see guarantors,  
10 and do you see Michael Kim's name?  
11 A. Yes.  
12 Q. And seeing this exhibit, including  
13 your forwarding e-mail to Michael Kim, does  
14 that refresh your recollection of  
15 communications you may have had with Michael  
16 Kim about these loans?  
17 A. No.  
18 Q. Including Cleo Riverside loan?  
19 A. No.  
20 Q. You have no recollection?  
21 A. No.  
22 You know, if I may explain, I have  
23 no recollection about this whatsoever. But it  
24 looks to me that Joseph Kim had indicated to  
25 the CEO and H.B. Kim, that the loan are

1 S. Ryu  
2 related, the four loans are somehow related so  
3 that the management loan committee level loan  
4 decision cannot be made. I guess that's  
5 indicated that it's over the limit of  
6 management loan committee's decision.

7 So I would assume that Cleo -- or  
8 somehow requested inquiries in amount, and I  
9 guess Joseph Kim is indicating that cannot be  
10 done.

11 So I don't know why Mr. Hur  
12 forwarded this to e-mail to me. I don't know  
13 whether he instruct me to since forward this to  
14 Michael Kim or not. But you know, this is sort  
15 of a denial of some sort that I ended up  
16 somehow sending it to Michael Kim, saying that,  
17 no.

18 And that's -- I'm just driving from  
19 the context of the e-mail. As far as the  
20 recollection of mine is concerned, I do not  
21 recall any of this.

22 Q. So is it your testimony that you do  
23 not recall why you forwarded the e-mail to  
24 Michael Kim on May 13, 2011?

25 A. Yes.

1 S. Ryu

2 Q. And is it your testimony that you  
3 did not know why Michael Kim, who was one of  
4 the guarantors for the Cleo Riverside SBA loan,  
5 also received a loan referral fee of \$5,000?

6 MR. DZARA: I'm going to object.

7 You're trying to link these two e-mails. I  
8 don't know if they can be linked.

9 But he can answer, if he understands  
10 the questions.

11 BY MR. YI:

12 Q. I'll withdraw and I'll rephrase.

13 A. Okay.

14 Q. In the previous exhibit, Mr. Kong is  
15 indicating to you that -- he was referencing  
16 Cleo Gramercy -- G-A-R-M-E-R-S-Y -- which  
17 appears to be a typographical error. He said  
18 the above SBA loan was originated and referred  
19 by Michael Kim, and that Mr. Kim got a referral  
20 fee of \$5,000.

21 Is it your testimony that you do not  
22 recall having -- having any discussions with  
23 Mr. Kong about this?

24 A. No.

25 Q. And is it your testimony that you

1 S. Ryu  
2 have no recollection as to whether you  
3 subsequently discussed this matter with Michael  
4 Kim?

5 A. Yes. I don't remember anything  
6 about either one of these. But I don't know.  
7 If you ask me to make my judgment call on this  
8 as to whether --

9 Q. I'm not asking you for a judgment  
10 call --

11 A. Okay.

12 Q. -- I'm just asking whether you  
13 remember anything.

14 A. No, I don't remember anything.

15 Q. So is there anything you remember  
16 about the subject matter reflected in these  
17 e-mails?

18 MR. DZARA: Objection to form.

19 Asked and answered.

20 You can answer.

21 A. No, I don't remember.

22 Q. Are you in communication with  
23 Ms. Eunhee Pak?

24 A. No.

25 Q. When was the last time you

1 S. Ryu

2 communicated with her?

3 A. Maybe November of 2010.

4 Q. Are you able to provide her last  
5 known address in Korea?

6 A. I don't know.

7 Q. I believe earlier you said that she  
8 moved to Korea in or about August 2010.

9 A. Yes.

10 Q. After she moved, did you learn her  
11 address in Korea?

12 A. No.

13 Q. Did she ever provide that to you?

14 A. No.

15 Q. Did you ever ask for it?

16 A. No, I don't think so.

17 (Plaintiff's Exhibit 58, number of  
18 checks, marked for identification.)

19 MR. DZARA: Off the record.

20 (Discussion held off the record.)

21 BY MR. YI:

22 Q. I'm showing you what's been marked  
23 as Exhibit 58 to your deposition.

24 Do you recognize this documents?

25 A. Yes.



Page 262

S. Ryu

Q. Is this exhibit showing copies of a number of checks that you issued from your joint account with your wife, which was held at Center Bank?

A. Yes.

Q. And these are checks that you issued to Ms. Pak?

A. Yes.

Q. What were these payments for?

A. Salary.

Q. What do you mean by salary?

A. For working at the cafe and hair salon.

Q. Did you ever issue a 1099 to her?

A. I don't think so.

Q. I'm a little bit confused.

Earlier, you said that you didn't have any ownership interest in either the cafe or the hair salon, as I recall.

A. Yes.

Q. And you also said that Ms. Pak was sort of working part-time or helping out at the cafe and the hair salon.

A. Yes.

Page 263

S. Ryu

Q. Why were you making salary payments to Ms. Pak when you had no ownership interest in either the cafe or the hair salon?

A. Ownership interest has nothing to do with -- you are obligated to pay somebody who is working for you.

Q. You weren't deriving any income from either the cafe or the hair salon, right?

A. I was making some revenues, but ultimately, there was no positive income.

But, you know, she was working so, you know, it's only fair that I would compensate her something.

Q. The revenues from the cafe and the hair salon, were you depositing it into your joint account at Center Bank?

A. I don't think so. I think it was being deposited into Royal Asian Bank.

Q. Seleste LLC account at Royal Asian Bank?

A. I think so.

Q. So why were the salary payments being made from your personal account at Center Bank?

Page 264

S. Ryu

A. It was my choice. You know, money from this account or that account did not matter to me. So...

Q. And these salary payments to Ms. Pak from 2010, did you reflect this on your income tax return for 2010?

A. Reflect how?

Q. I mean, did you claim it as a business deduction?

A. I'm not sure whether I did or not.

Q. Did you ever consult with your accountant about these payments?

A. No.

(Plaintiff's Exhibit 59, two checks issued from Mr. Ryu's personal joint account, marked for identification.)

BY MR. YI:

Q. I'm showing you what's been marked as Exhibit 59 to your deposition.

Do you recognize these documents?

A. Yes.

Q. Are these copies of two checks that you issued from your personal joint account with your wife to Ms. Pak --

Page 265

S. Ryu

A. Yes.

Q. -- in 2010?

A. Yes.

Q. And can you tell us what these payments are for?

A. I'm not certain, but it must be part of her salary.

Q. What was her salary?

A. Maybe 2,500 or beyond. You know, maybe more than that, or -- I don't clearly remember. But, you know, these are payments made to her in relation for her work at either cafe or hair salon.

Q. And is it fair to say that during this time, all the revenue from the cafe and hair salon, you deposited into the Seleste LLC account at Royal Asian Bank?

A. I would think so, but I'm not 100 percent certain.

Q. Can you think of any other bank accounts where those revenues could have been deposited into?

A. It could have been deposited into BankAsiana or, you know -- apparently, I was

1 S. Ryu  
2 wrong about not having a Center Bank account  
3 here in 2010. But maybe it was deposited  
4 there.

5 Technically, practically speaking,  
6 depositing any money to Center Bank is  
7 impossible because there was no Center Bank  
8 available here in East Coast at that time.

9 And, you know, Royal Asian was  
10 right, ten meters from -- it was in the same  
11 building as the cafe. So I would assume that  
12 the money was deposited into the Royal Asian  
13 Bank.

14 And it's the -- the reason -- one of  
15 the reasons why I don't recall the money, where  
16 I deposit or why not, because I never make my  
17 own deposits. You know, I don't like to going  
18 to banks to deposit stuff. So I think it was  
19 either my wife or Eunhee that deposited money,  
20 so...

21 Q. These two checks, unlike the other  
22 checks that we were looking at, which were  
23 Center Bank checks, these are Royal Bank -- I'm  
24 sorry, Royal Asian Bank checks.

25 So are you -- I'm just trying to

1 S. Ryu  
2 make sure that I understood.

3 You're saying that you believe that  
4 the revenues during this time from the cafe and  
5 the hair salon would have been deposited into  
6 the Seleste LLC account at Royal Asian Bank,  
7 and that it's also possible that you may have  
8 deposited some of that revenue into your  
9 personal joint account with your wife at Royal  
10 Asian Bank?

11 A. You know, that may have been  
12 possible, but the banks are pretty strict about  
13 if the income is coming from, you know, the  
14 cars and whatnot. I mean, it would have to be  
15 deposited into business account.

16 But these things being deposited  
17 into personal account, I'm not sure because I  
18 wasn't making the deposits myself.

19 Q. And the revenues that were being  
20 deposited, did it include cash?

21 A. Oh, I'm sure.

22 Q. So if we were to review your bank  
23 statements from both accounts, the personal  
24 account and the Seleste LLC business account at  
25 Royal Asian Bank, we would see deposits of the

1 S. Ryu  
2 revenue from the cafe and the hair salon during  
3 this time period of 2010?

4 A. I don't understand the question.  
5 Repeat.

6 (Question was read back as follows:

7 "QUESTION: So if we were to review  
8 your bank statements from both accounts,  
9 the personal account and the Seleste LLC  
10 business account at Royal Asian Bank, we  
11 would see deposits of the revenue from the  
12 cafe and the hair salon during this time  
13 period of 2010?")

14 A. Maybe. But as I indicated just now,  
15 I don't know. I don't remember because I'm not  
16 -- I probably not even once made any deposit to  
17 Royal Asian Bank myself. So -- just beyond my  
18 knowledge. But you may see just -- it's  
19 possible.

20 (Plaintiff's Exhibit 60, e-mail  
21 string with Ms. Pak, marked for  
22 identification.)

23 BY MR. YI:

24 Q. Sir, I'm showing you what's been  
25 marked as Exhibit 60 to your deposition. And

1 S. Ryu  
2 if it's okay with you, I'd like to just go over  
3 each document at a time.

4 On the first page, is that a copy of  
5 your e-mail to Ms. Pak, from July 30, 2010,  
6 9:06 a.m., Eastern Daylight Savings Time?

7 A. Yes.

8 Q. The second page, is that a copy of  
9 your e-mail to Ms. Pak, from August 4, 2010,  
10 5:20 p.m., Eastern Daylight Savings Time?

11 A. Yes.

12 Q. Third page and I -- is the bottom of  
13 the third page a copy Ms. Pak's e-mail to you,  
14 from August 5, 2010? And there's a time of  
15 2:55. It's not clear whether it's a.m. or p.m.

16 A. Yes.

17 Q. And above that, is that a copy of  
18 your e-mail, your reply e-mail to her August --  
19 from August 5, 2010, 10:03 a.m., Eastern  
20 Daylight Savings Time?

21 A. Yes.

22 Q. The next page --

23 MR. DZARA: Stop. Off the record.  
24 (Discussion held off the record.)

25 BY MR. YI:

1 S. Ryu  
2 Q. Sir --  
3 Discussion held off the record.)  
4 MR. YI: David, I appreciate your  
5 offer and I'll take you up on it.  
6 BY MR. YI:  
7 Q. Could you just go through the rest  
8 of these e-mails and just confirm for us that  
9 these are copies of your e-mail -- your e-mails  
10 to Ms. Pak. And I believe there are -- a few  
11 of these e-mails are her e-mails to you.  
12 A. Sure.  
13 MR. DZARA: There are multiple --  
14 they're different e-mail addresses, and you  
15 did confirm. You can stipulate they're  
16 e-mail addresses you sent, but there are  
17 different e-mails addresses.  
18 THE WITNESS: Yeah, I see that.  
19 A. Yes.  
20 Q. Okay. And the e-mail that you were  
21 using, e-mail address or addresses that you  
22 were using, mostly you were using what appears  
23 to be your work e-mail at Bank Asiana?  
24 A. Yes.  
25 Q. And then on occasion you were also

1 S. Ryu  
2 correspondence, e-mails that you sent to  
3 Ms. Pak, and on occasion Ms. Pak responding to  
4 your e-mails?  
5 A. Yes.  
6 (Plaintiff's Exhibit 61, journal,  
7 letters to Eunhee, marked for  
8 identification.)  
9 BY MR. YI:  
10 Q. I'm showing you what's been marked  
11 as Exhibit 61 to your deposition.  
12 Do you recognize this documents?  
13 A. Yes.  
14 Q. Can you tell us what they are?  
15 A. It's sort of my journal, letters to  
16 Eunhee.  
17 Q. And were these generated -- were  
18 these Word documents?  
19 A. Yes.  
20 Q. And did you send -- did you actually  
21 send these to Ms. Pak?  
22 A. No.  
23 Q. Did you send any of them to her?  
24 A. No.  
25 Q. Now, we looked at the previous

1 S. Ryu  
2 using your personal e-mail address?  
3 A. Yes.  
4 Q. And that was JamesSJRYu@msn.com?  
5 A. Yes.  
6 Q. And Ms. Pak, her e-mail address was  
7 omirimom@naver.com, correct?  
8 A. Yes.  
9 Q. And I think there was one more that  
10 she used...  
11 MR. DZARA: Look on the first page.  
12 BY MR. YI:  
13 Q. She had a Hotmail e-mail address  
14 that was ChrisEHPak@Hotmail.com?  
15 A. Yes.  
16 Q. Okay. And I think, in addition to  
17 the e-mails, there's one document that appears  
18 to be -- that was an attachment to one of the  
19 e-mails.  
20 Your e-mail to Ms. Pak, from  
21 February 2, 2011, 1:54 p.m., Eastern Standard  
22 Time. It appears to be a copy of Ms. Pak's  
23 W-2, which was issued by BankAsiana?  
24 A. Yes.  
25 Q. So this exhibit reflects e-mail

1 S. Ryu  
2 exhibit, which is a series of e-mails that you  
3 sent to her, and on occasion she responded to  
4 your e-mails. And it's from 2010, July 2010  
5 through February 2012.  
6 So earlier, I think when I asked you  
7 about your communications with her, I think I  
8 believe you said that the last time you  
9 communicated with her was November 2010?  
10 A. Yes.  
11 MR. DZARA: Objection. You asked  
12 him the last time he talked to her.  
13 You said communicate.  
14 BY MR. YI:  
15 Q. Regardless, let me say: When's the  
16 last time you communicated with her?  
17 MR. DZARA: Objection to form.  
18 A. I would need to refresh my  
19 recollection.  
20 Q. Go ahead.  
21 A. I guess February 2, 2011.  
22 Q. And referring to this -- these  
23 collection of e-mails, does that refresh your  
24 recollection as to when you composed these --  
25 A. Oh, I think I did.

1 S. Ryu  
2 Q. What would you call this, by the  
3 way?  
4 A. This is, like, a journal of letters,  
5 you know, for me to -- just for me to digest  
6 loss of good friend.  
7 Q. Right. So these are sort of, you're  
8 drafting a letter to her?  
9 A. Yes. So -- but --  
10 Q. But you never sent it?  
11 A. Never sent it.  
12 Q. And do you recall the time period  
13 that they were drafted?  
14 A. Oh, I don't know. It might have  
15 been over a period of one year. I don't know.  
16 More or less.  
17 (Plaintiff's Exhibit 62, three  
18 e-mails, marked for identification.)  
19 BY MR. YI:  
20 Q. I'm showing you what's been marked  
21 as Exhibit 62 to your deposition. And I'll  
22 represent to you that this exhibit consists of  
23 three -- copies of three e-mails.  
24 Do you recognize this document?  
25 A. Yes.

1 S. Ryu  
2 A. One more of these -- which  
3 computers?  
4 Q. Well, let's take the Dell personal  
5 computer first.  
6 Is it your position that you  
7 yourself, personally, out of your personal  
8 funds, purchased that computer?  
9 A. You mean --  
10 Q. When you were at the bank?  
11 A. No, I did not.  
12 Q. What about the Sony laptop?  
13 A. No.  
14 Q. So you didn't personally pay, out of  
15 your own personal funds, for either of those  
16 computers?  
17 A. No.  
18 Q. Now, these were two computers that  
19 you were using when you were working at  
20 BankAsiana?  
21 A. Yes.  
22 Q. And when you left Wilshire Bank, I  
23 believe October 4th --  
24 A. Yes.  
25 Q. -- 2013 --

1 S. Ryu  
2 Q. And starting on the second page, is  
3 that a copy of Lisa Pai's e-mail to you, with a  
4 copy to me, from Monday, February 10, 2014?  
5 A. Yes.  
6 Q. And turning to the bottom of the  
7 first page, is that a copy of your e-mail to  
8 Lisa Pai, from February 20, 2014, 2:02 p.m.?  
9 A. Yes.  
10 Q. And top of the first page, is that a  
11 copy of Lisa Pai's reply e-mail to you, from  
12 February 25, 2014, 8:46 p.m.?  
13 A. Yes.  
14 Q. Okay. Now, these e-mails concern a  
15 Dell personal computer and a Sony laptop, Sony  
16 VAIO laptop, correct?  
17 A. Yes.  
18 Q. Now, my understanding is that your  
19 position is that you may have purchased one or  
20 both of these computers; is that correct?  
21 MR. DZARA: Objection.  
22 A. Purchased?  
23 Q. You personally, out of your own  
24 personal funds, may have purchased one or more  
25 of these computers.

1 S. Ryu  
2 A. Yes.  
3 Q. -- did you take these computers with  
4 you?  
5 A. Yes.  
6 Q. Did you speak to anyone about the  
7 fact that you were taking them --  
8 A. Yes.  
9 Q. -- before you took them?  
10 A. Yes.  
11 Q. Who did you speak with?  
12 A. I spoke with the CEO, Mr. Hur.  
13 Q. Was Mr. Hur CEO at the time?  
14 A. Yes, when I asked.  
15 Q. When did you ask?  
16 A. Oh, maybe a week or even prior with  
17 -- longer than a week of my departure from  
18 BankAsiana, Wilshire Bank. It was certainly  
19 prior to the summation of merger agreement on  
20 October 1, 2013.  
21 I told them, "I'm taking those  
22 computers."  
23 And he said, "Sure. Go ahead."  
24 And I did ask him a few times,  
25 confirmed it as I was walking out the door with

1 S. Ryu  
 2 the computers. "I'm taking the computers."  
 3 He said, "Sure."  
 4 Q. Was that conversation before or  
 5 after the merger of --  
 6 A. Before --  
 7 Q. Wilshire --  
 8 A. I'm sorry.  
 9 Q. Between Wilshire Bancorp and  
 10 BankAsiana?  
 11 A. You mean, was it completed?  
 12 Q. Yes.  
 13 A. Yes, it was before.  
 14 Q. It was before the effective date of  
 15 the merger?  
 16 A. Yes.  
 17 Q. And at the time, Mr. Hur was CEO?  
 18 A. Yes.  
 19 Q. It was not after the merger?  
 20 A. No.  
 21 Q. But you took the computers after the  
 22 merger?  
 23 A. I don't know exactly what they --  
 24 when I took the computers, but...  
 25 Q. I'll represent to you that my

1 S. Ryu  
 2 knowledge is that you took them after the  
 3 merger.  
 4 MR. DZARA: That's wrong. He took  
 5 them before.  
 6 MR. YI: He did, okay.  
 7 THE WITNESS: Yeah, before.  
 8 MR. DZARA: There's e-mails from --  
 9 there's e-mails from them.  
 10 BY MR. YI:  
 11 Q. Now, you worked on the merger,  
 12 right?  
 13 A. Yes.  
 14 Q. As a representative of Bank Asiana?  
 15 A. Yes.  
 16 Q. And is it fair to say that in  
 17 connection with the merger, that was due  
 18 diligence that was performed by Wilshire  
 19 Bancorp?  
 20 A. Yes.  
 21 Q. And as part of that due diligence,  
 22 BankAsiana provided a list of inventory?  
 23 A. I believe so.  
 24 Q. Okay. And is it fair to say that  
 25 the list of inventory would have included

1 S. Ryu  
 2 computer equipment that -- BankAsiana's  
 3 computer equipment?  
 4 A. I would think so.  
 5 Q. Okay. And before you took these two  
 6 computers, did you check to see whether the  
 7 list of inventory of BankAsiana equipment had  
 8 been provided to Wilshire Bancorp in connection  
 9 with the merger, whether it was on that  
 10 inventory list?  
 11 A. No.  
 12 Q. When you left BankAsiana, were you  
 13 given certain documents to execute in  
 14 connection with your departure?  
 15 A. Yes.  
 16 Q. Okay. And was there a severance  
 17 agreement?  
 18 A. Yes.  
 19 Q. Were there any other documents that  
 20 you recall executing?  
 21 A. There were a few different  
 22 documents, but I don't know as to exactly what.  
 23 I'm sure Bank of Hope has them. I'm  
 24 sure you have them. I know you have them. You  
 25 know, but I don't know exactly what they are.

1 S. Ryu  
 2 Q. Okay. Did you have an  
 3 identification?  
 4 A. I.D.?  
 5 Q. Did Wilshire Bank issue to you an  
 6 identification card?  
 7 A. No.  
 8 Q. There was no I.D.?  
 9 A. No.  
 10 Q. You didn't an employee I.D. or --  
 11 A. Wilshire Bank?  
 12 Q. Wilshire Bank.  
 13 A. No.  
 14 Q. Did you have any keys that were  
 15 issued to you by Wilshire Bank?  
 16 A. Wilshire Bank? No.  
 17 Q. Was there any property of any kind  
 18 that was issued to you by Wilshire Bank?  
 19 MR. DZARA: Objection to form.  
 20 You can answer, if you understand.  
 21 BY MR. YI:  
 22 Q. Such as building I.D. or security  
 23 I.D. or anything like that?  
 24 A. Not by BankAsiana, Wilshire Bank?  
 25 Q. Wilshire Bank.



1 S. Ryu  
2 A. No.  
3 Q. Do you have any from BankAsiana?  
4 A. Yes.  
5 Q. What did you have?  
6 A. Keys.  
7 Q. What type of keys?  
8 A. Just key to the door of --  
9 Q. Your office?  
10 A. -- third floor. Yeah. And the  
11 office, yes.  
12 Q. What else?  
13 A. That's it.  
14 Q. No I.D.?  
15 A. No I.D.  
16 Q. Did you turn in the keys when you  
17 left Wilshire Bank?  
18 A. I think so.  
19 Q. Did you turn in anything else?  
20 A. No.  
21 Q. So I want to just make sure I have  
22 this correct in light of your counsel's  
23 statements.  
24 He indicated that you took the two  
25 computers prior to the merger, prior to the

1 S. Ryu  
2 and brought it down to my car. And, you know,  
3 he loaded those things into my car, and I drove  
4 off. And there were, you know, all employees  
5 saw that was being moved by Mr. Hur approved  
6 it, so...  
7 Q. When you worked at Center Bank with  
8 Mr. Hur, I believe, and when you left Center  
9 Bank, did you ask to -- did you take any  
10 computer -- bank computers home with you?  
11 A. No.  
12 Q. Did you work at another bank prior  
13 to Center Bank?  
14 A. Wilshire Bank, a long time ago, back  
15 in '89.  
16 Q. And when you left Wilshire Bank, did  
17 you take any bank computers with you?  
18 A. No. I -- if I may add, I never  
19 asked them what I could take. At Center Bank,  
20 I didn't ask. But the CEO provided me with  
21 Omega watch and other stuff, a lot of gifts  
22 when I departed. So I mean...  
23 Q. Prior to BankAsiana --  
24 A. Yes.  
25 Q. -- when you worked at other banks --

1 S. Ryu  
2 effective date of the merger; is that right?  
3 MR. DZARA: Objection. I didn't  
4 make any representation of my opinion. I'm  
5 simply reciting what I remember.  
6 Mr. Choi's deposition testimony, as well  
7 as, I believe e-mails Mr. Choi sent to Ms.  
8 Pai that have been marked as exhibits.  
9 I may be remembering it wrong, but  
10 my memory is that it said after.  
11 THE WITNESS: I -- before.  
12 MR. DZARA: My memory is that it was  
13 before the merger was complete or effective  
14 on October 1st. But...  
15 BY MR. YI:  
16 Q. You can ignore what we said. You  
17 can ignore what we said.  
18 A. Right.  
19 Q. Tell us what you remember.  
20 A. I think it was before the effective  
21 date of the completion of the merger, which was  
22 October 1st, that I was given the computers by  
23 the bank, by the CEO. And I obviously packed  
24 them and I believe -- I don't know what Choi  
25 has said, but I think he loaded onto the carts

1 S. Ryu  
2 A. Right.  
3 Q. -- and when you left those banks --  
4 A. Right.  
5 Q. -- did you take any properties  
6 belonging to the bank?  
7 A. No.  
8 MR. DZARA: Objection to the form of  
9 that question.  
10 BY MR. YI:  
11 Q. Did you ever ask anybody at those  
12 prior banks, when you were leaving, whether you  
13 could take any properties of the bank?  
14 MR. DZARA: Objection to form.  
15 A. No.  
16 MR. DZARA: You're assuming a legal  
17 conclusion to that question.  
18 BY MR. YI:  
19 Q. You can answer.  
20 A. No.  
21 Q. Now, let me go back to your meeting  
22 with -- your second meeting with Karen Chon,  
23 February 13, 2014.  
24 I believe you said that at some  
25 point, she asked you to help her repay Wilshire

1 S. Ryu  
2 Bank.  
3 And correct me if I'm wrong, but I  
4 believe your testimony was that you said, "no,"  
5 you declined?  
6 A. I believe she asked me whether she  
7 could borrow money from me to pay back Wilshire  
8 Bank. In my mind I was, like, "Are you kidding  
9 me?"  
10 But what I actually told her  
11 ultimately was "no." But in very nice way, "I  
12 may consider but, you know, I just don't have  
13 the money." So I don't know whether you would  
14 say in a word that I said "no."  
15 But I didn't want to be nasty to her  
16 because I still needed to propel this person to  
17 get up and tell the truth. So I wasn't being  
18 very harsh. In retrospect, I should have been,  
19 you know? I should have called the cops. I  
20 should have dragged her out of there, you know,  
21 and whatever. But I didn't do that. It was  
22 kind of dumb of me.  
23 Q. Okay. And I think I asked you a  
24 follow-up question, which was: Do you recall  
25 ever telling her whether you would think about

1 S. Ryu  
2 a very bad position to -- you know, getting  
3 your life being ruined. Which at the time, I  
4 did not realize how far things will move along  
5 to make this really, really horrible process.  
6 But, you know, I mean, put it this  
7 way. Had I known then what it would be today,  
8 on the first meeting, I would have called the  
9 cops. I would have had her be questioned by  
10 authorities. I would call the FBI myself on  
11 her. You know. I should have done that. And  
12 it was very stupid of me not to do so.  
13 At least I should have called, you  
14 know, Lisa Pai or whatever was in charge of the  
15 this ridiculous claim. You know, as to my  
16 being part of this theft, you know.  
17 And if I could do it over again,  
18 even at the second meeting, which you are  
19 asking me now, you know, I would've called, you  
20 know, authorities and cops.  
21 Instead, sometime later, she was  
22 doing some sort of sting job for FBI herself on  
23 that particular meeting, which is very ironic.  
24 You know, it's just outrageous, is  
25 what I have to say about that.

1 S. Ryu  
2 it.  
3 And I believe you said "no."  
4 Is that right; you didn't tell her  
5 that? You never said to her, "I'll think about  
6 it"?  
7 A. I may have. I mean, I may have said  
8 that -- I never said I would think about it  
9 during the earlier time when you asked me that  
10 question.  
11 But now, I think I may have said,  
12 "Well, I'll think, but I just don't have the  
13 money." So whether that would constitute  
14 outright saying that, "Oh, I'll think about  
15 it," you know, or not -- but that may have been  
16 the case.  
17 I know my motive there was to then  
18 to have her tell the truth to the authorities  
19 and to the Wilshire Bank so that I no longer  
20 have to deal with this nonsense of being some  
21 part of conspiracy to steal money from bank.  
22 You know, so -- but then I didn't --  
23 it wasn't really -- it is not everyday  
24 occurrence, where you are meeting with a  
25 mastermind and then somebody is putting you in

1 S. Ryu  
2 But you may continue with your  
3 question on second meeting with this character.  
4 Q. When you were working at BankAsiana,  
5 did there come a time when Jessica Kim was  
6 hired?  
7 A. Yes.  
8 Q. And do you remember around when she  
9 was hired?  
10 A. I don't know. Maybe sometime in  
11 2008.  
12 Q. And after she was hired in or about  
13 2008, did she ever come to you and Mr. Hur and  
14 talk to the two of you about Karen Chon?  
15 A. About what?  
16 Q. Anything about Karen Chon.  
17 A. No.  
18 Q. Do you recall Jessica Kim telling  
19 you about Karen Chon's prior employment at  
20 Liberty Bank of New York?  
21 A. No.  
22 Q. Do you remember Jessica Kim telling  
23 about Karen Chon's employment, prior employment  
24 at Wilshire Bank, which had acquired Liberty  
25 Bank of New York?

1 S. Ryu

2 A. No.

3 Q. Did Jessica Kim ever tell you that  
4 when she and Karen Chon were both working at  
5 Liberty Bank of New York, which had -- either  
6 Liberty Bank of New York or Wilshire Bank,  
7 after Wilshire Bank acquired Liberty Bank of  
8 New York, that Karen Chon was suspected of  
9 having embezzled from the bank?

10 A. Did she ever tell me?

11 Q. Yes, did Jessica Kim ever tell you  
12 that?

13 A. No. Here are the facts with -- I  
14 think you're trying to ask me whether I had a  
15 prior acknowledge of Karen having her -- now I  
16 know, the record of stealing money from her  
17 previous employment.

18 Here is the clearest indication of  
19 that, the fact that she stole money from either  
20 Wilshire Bank before, you know, at Liberty Bank  
21 or whatnot, was from Lisa Pai in about two  
22 weeks prior to my departure from BankAsiana and  
23 Wilshire Bank, that she was discussing the list  
24 of employee -- terminating employee list.

25 And she said she went one-by-one.

1 S. Ryu

2 pretty good at what she does, and would you not  
3 reconsider this?

4 And so, out of 12 or 13 or 15 people  
5 that she was making decision to terminate, we  
6 had pretty good conversation as to who is  
7 going, or should go and who, you know, she may  
8 reconsider up on the advice of me.

9 And, in fact, what had happened was  
10 initially they had planned to let go of, say,  
11 somewhere around 15 people, which may include  
12 me, and it ended up being, like, 11 or 12  
13 termination at the end.

14 So I did "save" a few persons.

15 But when it came to Karen Chon, I  
16 said to her, "It seems like, you know, she's  
17 pretty good employee. You know, why" -- and  
18 she was -- now, I recall, she was pregnant and  
19 about to give labor and stuff like that. And I  
20 thought it was cruel to fire her for some  
21 reason.

22 So I said, "Why do you -- you know,  
23 why don't you make a reconsideration on Karen?"

24 And she said -- Lisa Pai said,  
25 "Absolutely not."

1 S. Ryu

2 She indicated that, "I'm sorry to tell you,  
3 but, you know, you, you know, will be  
4 terminated effective October 4th, you know,  
5 2013."

6 So I said, "I thought I had a bit  
7 more time and whatnot."

8 But she said, "Sorry. That's the  
9 date set. Along with you, we are considering  
10 decisionmaking with respect to" -- I think  
11 there were additional 12 or 13 different  
12 employees that the bank was contemplating on  
13 discharging.

14 And it included branch manager, some  
15 marketeers, some, you know, ethnic market  
16 specialist, and things like that. And, in  
17 fact, it included Karen, too.

18 So during that conversation, when  
19 Lisa was, you know, communicating with me as  
20 to, "Oh, we're thinking of terminating, let's  
21 say, the branch manager of Palisades Park" --  
22 and this happens to be the case.

23 "We are thinking of letting go Miye  
24 Tong." T-O-N-G, she spells it.

25 And I said, "Well, you know, she is

1 S. Ryu

2 I said, "Why?"

3 And she said, "Don't you know about  
4 Karen?"

5 I said, "I don't know. What are you  
6 talking about?"

7 You know. And she said -- you know,  
8 she had some acknowledge that -- that Karen,  
9 based off on that, should be fired.

10 Now, I don't know what -- and that  
11 was really the first time that there was  
12 perhaps, you know, something strong against  
13 Karen through Lisa Pai, and that was really the  
14 first time that I truly got the sense of the  
15 severeness of her past behavior.

16 Prior to that, I believe there was  
17 hearsay of some sort. And, you know, I don't  
18 even recall it, but at one point, I believe,  
19 H.S., the CEO came to me and he said he heard  
20 from somebody that Karen may have been, you  
21 know, involved in something, you know, so, you  
22 know, you should be aware.

23 And I don't even remember when or  
24 how or what means, from whom he heard the  
25 details. But rather than on Jessica, as you

S. Ryu

recite and ask me question as to whether she came to me and asked those questions, you know, you should be aware, or statements that Karen is something, I think Mr. Hur and I may have been present at the time, asked Jessica to the fact that, "Do you have knowledge of this person doing something wacky, because you guys were at the same place previously?"

You know, from my understanding, Jessica was Liberty Bank, too, and maybe at Wilshire as well.

And I remember this: She was, like, laughing at Mr. Hur and saying, no, she wouldn't do that or something like that.

You know, so it seems to me it's -- and, you know, now, you know, going through this whole process -- and it's nonsensical for me that I'll pay anything to the past of Karen Chon character. But, you know, now we go through this exercise, "Did you know?" Did I not know?

You know, the truth is that Karen and Jessica, I believe they were pretty close in terms of relationship, and you know, if

S. Ryu

anything, we -- I think Mr. Hur asked -- questioned integrity of Karen Chon to Jessica Kim, not the other way around.

Hope that clarifies something.

But, you know, the first time that I really learned there's really got to be something was that, you know, when Lisa Pai said definitively, there's no -- absolutely question, she's got to go. And she didn't tell me why exactly.

Q. Okay. Have you told us everything that you remember about that?

A. Yes.

Q. All right.

MR. YI: It is now 6:12, and we can be on the record.

So, David, I think you and I have an understanding. We have subpoenaed certain banks and we're still waiting to receive documents from which banks?

MR. DZARA: Doesn't matter. We have to be on the record. Everybody but Synchrony. You want to produce Synchrony, so I assume everybody else but Synchrony.

S. Ryu

MR. YI: Okay. In addition, I'm going to be writing to you about some -- we did receive some bank statements from you and credit card statements. But we believe there may be some missing pages or missing parts. So I'll follow up with you by letter on that.

And you graciously, I believe it was last week, when we discussed this deposition, that you would be agreeable to letting us reserve our right to possibly continuing this deposition upon receipt of the subpoena documents.

MR. DZARA: I said I would consider it. I didn't promise. I said I would consider it.

MR. YI: Well, let me just for the record specifically state that we hereby reserve our right to continue this deposition if we determine that it's necessary after we receive the subpoenaed documents and after we follow up with you about documents that we believe are missing in the later production.

S. Ryu

MR. DZARA: That's fine. You can reserve your right. And I can object if I don't deem it necessary to have a second dep. And we can deal it with it then. We'll not have that fight now.

(Time Noted: 6:13 p.m.)

-----  
SUK JOON RYU

Subscribed and sworn to before me  
this      day of      2018.

C E R T I F I C A T E

STATE OF NEW YORK )  
                                   ) ss.:  
 COUNTY OF NEW YORK )

I, Lisa M. Muraco, a Notary Public  
 within and for the State of New York, do  
 hereby certify:

That SUK JOON RYU, the witness whose  
 deposition is hereinbefore set forth, was  
 duly sworn by me and that such deposition  
 is a true record of the testimony given by  
 such witness.

I further certify that I am not  
 related to any of the parties to this  
 action by blood or marriage; and that I am  
 in no way interested in the outcome of this  
 matter.

IN WITNESS WHEREOF, I have hereunto  
 set my hand this 26th day of June, 2018.

-----  
 LISA M. MURACO

I N D E X

WITNESS	PAGE
SUK JOON RYU	
MR. YI	5

E X H I B I T S

DESCRIPTION	PAGE
Plaintiff's Exhibit 1, Notice	14
Plaintiff's Exhibit 2, e-mail	15
Plaintiff's Exhibit 3, documents received from Verizon Wireless	50
Plaintiff's Exhibit 4, federal income tax return for tax year 2009	55
Plaintiff's Exhibit 5, certificate of Formation of Seleste LLC	61
Plaintiff's Exhibit 6, income tax returns for tax year 2010	77
Plaintiff's Exhibit 7, income tax returns for tax year 2011	83
Plaintiff's Exhibit 8, e-mail to a person by the name Mi Hyung Kim	87
Plaintiff's Exhibit 9, financial statement as of March 31, 2010	94
Plaintiff's Exhibit 10, account overdrawn advice notifications from then Royal Asian Bank	108
Plaintiff's Exhibit 11, e-mail string	110

I N D E X   O F   E X H I B I T S (Cont'd.)

DESCRIPTION	PAGE
Plaintiff's Exhibit 12, MOU	114
Plaintiff's Exhibit 13, Advantage money market account, account number ending 6775	127
Plaintiff's Exhibit 14, document signed for business account Seleste LLC at Royal Asian Bank	129
Plaintiff's Exhibit 15, bank statements that relate to the bank accounts of Seleste LLC	130
Plaintiff's Exhibit 16, Young Lee's e-mail to Irene Lee, from October 30, 2013, 7:02 p.m.	131
Plaintiff's Exhibit 17, two e-mails	135
Plaintiff's Exhibit 18, e-mail from Jeanne Kim, at Woori America Bank	136
Plaintiff's Exhibit 19, e-mail string with an e-mail from Jon Schwitzer	139
Plaintiff's Exhibit 20, e-mail and the attachment	142
Plaintiff's Exhibit 21, e-mail and attachment	144
Plaintiff's Exhibit 22, e-mail to Mr. Henry Chi	148
Plaintiff's Exhibit 23, e-mail to Mr. Kumar	155
Plaintiff's Exhibit 24, notice from GE Capital Retail Bank	158
Plaintiff's Exhibit 25, e-mail from Bo Young Lee	159

I N D E X   O F   E X H I B I T S (Cont'd.)

DESCRIPTION	PAGE
Plaintiff's Exhibit 26, checks issued to KORE	160
Plaintiff's Exhibit 27, e-mail from Soomi Kim	163
Plaintiff's Exhibit 28, checks issued to SOYU ARCHitecture	164
Plaintiff's Exhibit 29, letter that was sent to Mr. Ryu's wife from IndyMac Mortgage Services	165
Plaintiff's Exhibit 30, home equity line of credit statement issued by Citibank	167
Plaintiff's Exhibit 31, notice letter from Meridian Foreclosure Service	168
Plaintiff's Exhibit 32, notice of trustee sale	169
Plaintiff's Exhibit 33, document	188
Plaintiff's Exhibit 34, adjustable rate note	189
Plaintiff's Exhibit 35, foreclosure complaint	190
Plaintiff's Exhibit 36, Answer and Affirmative Defenses to Plaintiff's Complaint and Cross-Claim	190
Plaintiff's Exhibit 37, e-mail and an attached document or letter	191
Plaintiff's Exhibit 38, Home Affordable Modification Agreement, dated January 30, 2017	192



1	INDEX OF EXHIBITS(Cont'd.)	
2	DESCRIPTION	PAGE
3	Plaintiff's Exhibit 39, document	193
4	related to Mr. Cooper	
5		
6	Plaintiff's Exhibit 40, bank statement	195
7	from New Millennium Bank	
8	Plaintiff's Exhibit 41, check dated	196
9	November 23, 2016, paid to Nationstar	
10	Plaintiff's Exhibit 42, e-mail and	199
11	check	
12	Plaintiff's Exhibit 43, copy of a check	202
13	dated July 21, 2016	
14	Plaintiff's Exhibit 44, certificate of	205
15	title to MINI Cooper and the second	
16	page is certificate of title to 2000	
17	Bentley	
18	Plaintiff's Exhibit 45, TD Bank	206
19	statements	
20	Plaintiff's Exhibit 46, three	208
21	promissory notes	
22	Plaintiff's Exhibit 47, check for	211
23	20,000	
24	Plaintiff's Exhibit 48, advancement of	213
25	salary agreement	
	Plaintiff's Exhibit 49, e-mail to Frank	217
	Gleeson from April 20, 2010	
	Plaintiff's Exhibit 50, e-mail and the	218
	second page is a document called	
	"Selest LLC Income Statement"	
	Plaintiff's Exhibit 51, e-mail	220
	Plaintiff's Exhibit 52, e-mail string	221

1	INDEX OF EXHIBITS(Cont'd.)	
2	DESCRIPTION	PAGE
3	Plaintiff's Exhibit 53, e-mail and	222
4	attachment	
5		
6	Plaintiff's Exhibit 54, e-mail and	222
7	attachment	
8	Plaintiff's Exhibit 55, Frank Gleeson's	227
9	e-mail from November 8, 2011	
10	Plaintiff's Exhibit 56, e-mail from	253
11	Donald Kong	
12	Plaintiff's Exhibit 57, e-mail string	256
13	Plaintiff's Exhibit 58, number of	261
14	checks	
15	Plaintiff's Exhibit 59, two checks	264
16	issued from Mr. Ryu's personal joint	
17	account	
18	Plaintiff's Exhibit 60, e-mail string	268
19	with Ms. Pak	
20	Plaintiff's Exhibit 61, journal,	272
21	letters to Eunhee	
22		
23	Plaintiff's Exhibit 62, three e-mails	274
24		
25		

1	
2	ERRATA SHEET FOR THE TRANSCRIPT OF:
3	Case Name: BANK OF HOPE v MIYE CHON
4	Dep. Date: THURSDAY, JUNE 14, 2018
5	Deponent: SUK JOON RYU
6	CORRECTIONS:
7	Pg. Ln. Now Reads Should Read Reason
8	_____
9	_____
10	_____
11	_____
12	_____
13	_____
14	_____
15	_____
16	_____
17	_____
18	
19	_____
20	Signature of Deponent
21	SUBSCRIBED AND SWORN BEFORE ME
22	THIS _____ DAY OF _____, 2018.
23	
24	_____
25	(Notary Public) MY COMMISSION EXPIRES: _____